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A STAFF REPORT

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SUBCOMMITTEE ON IMMIGRATION AND REFUGEE POLICY

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CONTENTS

Page

Introduction — 1

Summary of Recommendations — 3

I. Refugee Problems in Southeast Asia — 5
  1. Background — 5
  2. Conditions in Thailand — 20
  3. The "Boat People" from Vietnam — 28
  4. The Cambodian Crisis — 32

II. Recommendations — 33
  1. Policy questions confronting the United States — 33
  2. Additional recommendations — 37

III. Additional Comments by Mr. Tinker — 39
  1. Processing of Refugees admitted to the United States — 39
  2. Role of INS in Refugee processing — 40
  3. "Economic" Refugees? — 41
  4. Indochinese "Boat People" vs. Haitian "Boat People" — 41

APPENDIX

The Indochinese Refugee Situation, Report to the Secretary of State by the Special Refugee Advisory Panel — 43

Indochinese Refugees in Thailand, A Report prepared by the United Nations High Commissioner for Refugees — 80

INTRODUCTION

For more than a decade, refugee and humanitarian problems of the Indochina Peninsula and Southeast Asia have been a matter of deep concern to Congress and many Americans. Over the years, the Judiciary Committee and its relevant subcommittees have closely followed the plight of displaced persons, war victims and refugees in Indochina, and our Nation's response to their humanitarian needs.

Since 1975, with the beginning of the Indochinese refugee resettlement program, the Judiciary Committee has had principal responsibility for monitoring refugee admissions, under the previous use of the Attorney General's "parole authority" and, now, under the terms of The Refugee Act of 1980. In light of the continuing Congressional and public interest in the serious humanitarian problems in Southeast Asia, and the requirement that the Committee formally consult with the President's representative on refugee admissions from Indochina before the beginning of the 1982 fiscal year in September, we jointly dispatched a staff mission to visit the field in August 1981.

For two weeks the Subcommittee's Chief Counsel, Mr. Richard W. Day, and the Minority Counsel, Mr. Jerry M. Tinker, traveled to Hong Kong and Thailand. In addition to extensive visits in the field to refugee camps, the team held lengthy consultations with senior officials of the Hong Kong Government and the Royal Thai Government, with officials of U.N. High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), the United Nations Children's Fund (UNICEF), the Intergovernmental Committee for Migration (ICM), and with the many voluntary agency personnel throughout the region. The team also met with officials of the Immigration and Naturalization Service and United States Embassy.

The following is their report prepared for the consultations the Judiciary Committee held on September 22, 1981 on the admission of Indochinese refugees for fiscal year 1982. This report reflects their findings and recommendations.

ALAN K. SIMPSON,
Chairman.

EDWARD M. KENNEDY,
Ranking Minority Member.

SUMMARY OF RECOMMENDATIONS

The United States and the international community continue to face a complex set of humanitarian and foreign policy issues in Southeast Asia. For the forseeable future the United States must continue to participate in the on-going international effort to resettle Indochinese refugees, and to contribute to humanitarian programs for displaced persons in Southeast Asia. Our participation is justified not only by our traditional concern over the plight of refugees, but also because we have important national interests in securing peace and stability in Southeast Asia.

To this end, the following recommendations are made:

1. *Refugee Admissions for 1982.*—Last year, a ceiling of 168,000 refugee admissions was established for Indochina. This reflected the emergency situation that continued to prevail subsequent to the Geneva conference on Indochinese refugees in July 1979—when the United States doubled its admission of refugees. That emergency has eased, although the flow continues. In establishing a new ceiling for 1982, this new situation should be reflected. It should accommodate the continuing resettlement needs in the field, as well as reflect the limitations of our capacity to absorb refugees under existing budgetary constraints. Yet it should also pressure our ASEAN allies of our continued commitment to assist them.

Weighing all factors, and after soliciting the views of senior government officials in Thailand and Hong Kong, a reasonable ceiling would be no more than 80,000 to 100,000 refugees for 1982—a reduction of one half to one third from this year's ceiling. If an emergency justifies additional numbers during the course of the year, the Refugee Act explicitly provides emergency procedures to deal with such unforeseen humanitarian needs.

2. *Refugee processing.*—To date, the UNHCR and the international community generally have referred to Indochinese who have fled their homelands as "refugees" for purposes of providing humanitarian assistance. Although refugees always flee for a mixture of reasons, there are increasing indications that the flow from Indochina has changed in character since 1975. While there are clearly bona fide refugees, there are also some who are moving primarily for economic reasons. To protect the integrity of the term "refugee" contained in our law, the United States should henceforth determine the eligibility of refugees on a case-by-case basis.

3. *Procedures in processing refugees.*—If refugee eligibility is to be determined on an individual basis, making this determination must be undertaken with care, after a fair hearing.

4. *Repatriation.*—The United States must also be concerned over the fate of those Indochinese who are deemed not to be refugees, but who are unable to find permanent settlement. For many, repatriation will be the answer, if it is accomplished under international auspices

with full regard for their safety and security upon their return. We and other countries should strongly support current negotiations to establish repatriation programs for Indochinese who are not bona fide refugees.

5. *Local settlement.*—If and when the refugee situation stabilizes in Southeast Asia, voluntary local settlement will perhaps become an option for some refugees. We should reaffirm our willingness to support such local settlement in the context of rural development schemes. In the meantime, efforts should be made to allow refugees, especially the Hmong, Laotians and Khmer in Thailand, to achieve greater self-sufficiency.

6. *Orderly departure agreement.*—The orderly departure agreement negotiated between Vietnam and the UNHCR in 1979 has not been fully implemented. Yet it remains the best avenue for accommodating family reunion and other migration cases from Vietnam. Some 14,000 family reunion cases are now pending; only 2,000 persons have been able to leave thus far. We should resolve the current impasse and seek effective ways to implement the orderly departure agreement. The establishment of some form of U.S.-Vietnamese consular relations may now be justified simply to deal with this growing humanitarian problem.

7. *New diplomatic efforts.*—The tragedy of Cambodia—of prolonged conflict, of famine conditions, and hundreds of thousands of displaced persons—will continue until a negotiated solution is found. New diplomatic initiatives should be undertaken to resolve the Cambodian crisis—both its political and humanitarian aspects. Renewed efforts should be made to negotiate an end to the conflict and to secure the withdrawal of Vietnamese troops.

8. *Internationalization of the Indochina program.*—We should redouble our efforts to maintain and expand international participation in the Indochinese refugee program. Since the Geneva conference in 1979, there has been some slippage in the contributions of several countries. This must be reversed if the American people are to be asked to continue their efforts.

9. *Appointment of a U.S. Coordinator for Refugee Affairs.*—The Administration has not yet appointed a Coordinator for Refugee Affairs, nor has it fully staffed the Bureau of Refugee Affairs in the Department of State. The Refugee Act required that the Coordinator not only present to the Congress the Administration's overall refugee policy, but also to provide high level coordination and direction to U.S. refugee programs at home and abroad. The Coordinator's position should be filled without delay, and the Coordinator should be located in the Executive Office.

The dilemmas and issues the United States and the world community face today in Southeast Asia involve much more than a debate over the definition of a refugee—and their resolution will require more than the simple provision of more resettlement opportunities. This is the issue before Congress as it consults with the President over the continuing Indochinese refugee crisis.

I. Refugee Problems in Southwest Asia

1. BACKGROUND

The final stages of the Indochina War in 1975, with its spreading conflict and political upheaval, produced an inevitable tide of refugees and displaced persons. Just as millions who were displaced by years of war struggled to return to their war-scarred lands, new relief and rehabilitation needs grew among refugees fleeing to neighboring countries in Southeast Asia.

Following the humanitarian emergency in 1975 in Indochina, the international community has faced a steadily escalating crisis of people—a massive set of humanitarian problems caused by the dislocations of war, the mounting pressure of refugee movements, and the continuing problems of conflict and political instability in the Indochina Peninsula. During the following five years a regional crisis of people has grown—of men, women and children fleeing violence, conflict and persecution. Over the years some 1.3 million Indochinese refugees have fled their countries—leaving their homelands in several phases and under differing circumstances. Of this number, some 200,000 left Combodia and southern Vietnam during the governmental collapse and American evacuation in 1975, and all of this group and many thousands of others are now resettled in the United States, France, Canada, and other countries.

However, since 1978, and especially since 1979, the flow of "boat people" from Vietnam has continued as the new government has vigorously pursued a political and economic restructuring of their society. In addition, the flow from Laos similarly continued while the Vietnamese invasion into Cambodia in December 1978 produced a massive upsurge along the Thailand border. Since the change of governments in Indochina in 1975, more than a million refugees have sought asylum in Southeast Asia.

Although the movement of people over the past two years differs in many respects from the first wave of refugees between 1975–79 (since the last Judiciary Committee report was filed),[1] the basic problems and dilemmas they pose for the countries of first asylum in Southeast Asia—and for the international community at large—remains much the same. This is so even though the character of the refugee flow has inevitably changed over the years, with increasing indications of a growing "migrant" element to the movement of Indochinese compared to the overwhelming political and war-related motivation of their earlier movement.

The following Tables indicate the composition and timeframe of the refugee flow from Indochina. Of the 1.3 million who have fled their native countries, over three-quarters have been resettled in third countries or countries of first asylum. Of these, the United States will have admitted through the end of this fiscal year (1981) approximately 550,000 Indochinese refugees—a third of the total. Other countries, however, principally western nations, have resettled during the same time period over 300,000—with Canada, Australia, France and Germany the leading contributors. In per capita terms, several of these countries have exceeded the United States in their admission of refugees from Indochina and elsewhere. Every indication to date also suggests that Australia and France will continue their generous policies toward the resettlement of refugees from Southeast Asia.

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[1] See Humanitarian Problems of Southeast Asia. 1977–78, A Study Mission Report, Committee on the Judiciary, U.S. Senate, March 1978 and Refugee and Humanitarian Problems in Vietnam, Hearing, Committee on the Judiciary, U.S. Senate, August 22, 1978.

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INDOCHINESE REFUGEE PROGRAM SUMMARY PAGE
PERIOD ENDING JULY 31, 1981

	Boat	Land	RPC's	Direct	Total
July 1981					
Camp and RPC Population-June 30 (+)	62,325	236,822	24,063	0	321,210
Arrivals (+) *	4,742	1,800	7,546*	771	7,313
Other Additions (+)	122	0	59	0	181
Resettled to U.S. (-)	3,276	2,960	4,887	0	11,123
Resettled to 3rd Countries (-)	2,180	1,889	197	771	5,037
Transferred to RPC's	2,805	4,391	0	0	7,196**
Voluntary Repatriations	0	23	0	0	23
Other Reductions (-)	8	0	15	0	23
o Camp and RPC Population-July 31, 1981	58,920	221,666	26,569	0	307,155
April 1975 Thru July 31, 1981					
Resettled to U.S.	200,389	149,391	39,908	0	389,688
Direct To U.S. in 1975				123,000	123,000
Orderly Departure to U.S. (ODP)				2,341	2,341
o Cumulative Resettlement to U.S	200,389	149,391	39,908	125,341	515,029
Resettled to 3rd Countries	194,687	93,905	1,806	7,199	297,597
Direct To PRC, 1977 thru 1979				263,000	263,000
o Cumulative Resettlement to Other Countries	194,687	93,905	1,806	270,199	560,597
o Total Cumulative Refugee Population	453,996	464,962	68,283	395,540	1,382,781

* RPC arrivals are not added across because it would result in double addition.
** Departures to RPC's are not subtracted down because it result in double subtraction.

source: Department of State

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INDOCHINESE REFUGEE ACTIVITY
CURRENT MONTH

As of July 31, 1981

	Last Month's	This Month's Additions (+)		This Month's Reductions (-)					This Month's
Countries Of Asylum/RPC's	Population	Arrivals	Other	To U.S.	3rd Countries	Vol Repatriation	Other	RPC's	Population
Hong Kong	14,853	1,434	55	1,311	358	0	2	0	14,671
Macau	1,576	87	18	30	57	0	3	0	1,591
Indonesia	5,541	346	12	249	273	0	1	0	5,376
Japan	1,632	111	1	86	30	0	0	0	1,628
Malaysia	15,522	1,022	23	1,000	823	0	2	500	14,242
Philippines	5,236	1,118	7	128	76	0	0	58	6,099
Singapore	3,468	423	5	137	308	0	0	591	2,840
Thailand	14,106	201	0	335	255	0	0	1,656	12,061
Other	411	0	1	0	0	0	0	0	412
o Total Boat	62,325	4,742	122	3,276	2,180	0	8	2,805	58,920
Thailand - Khmer	129,915	0	0	1,760	1,207	0	0	3,293	123,655
Thailand - Hmong	55,913	300	0	203	0	22	0	0	55,988
Thailand - Lao	44,793(A)	1,500	0	938	590	1	0	41	39,422 (A)
Thailand - Vietnamese	4,201	0	0	59	92	0	0	1,057	2,601 (B)
o Total Land	234,822	1,800	0	2,960	1,889	23	0	4,391	221,666
o Total Direct (ODP)	0	771	0	0	771	0	0	0	0
Bataan-RPC	17,148	3,839	44	3,507	187	0	15	0	17,322
Galang-RPC	6,915	3,707	15	1,380	10	0	0	0	9,247
o Total RPC's	24,063	7,546	59	4,887	197	0	15	0	26,569
o Grand Total	321,210	7,313	181	11,123	5,037	23	23	7,196	307,155

* RPC arrivals are not added down into arrival Grand Total because it would result in double addition.

** Departures to RPC's are not subtracted across Grand Total line because it would result in double subtraction.

(A) Thai Ministry of Interior censuses at Nong Khai and Ubon camps reduced their populations by 4,923 Lao refugees who had earlier left camp, but had not been removed from camp rolls. Actually about 1,500 new Lao refugees entered UNHCR/MOI camp system during July 1981 and are destined for Nakhom Phanom holding center.

(B) This is UNHCR mathematically derived figure. No land Vietnamese have been permitted into camp NW-9 from the Thai-Kampuchean border in the last three months. This is the UNHCR's revised estimate of the total number of land Vietnamese refugees now in camp.

INDOCHINESE REFUGEE ACTIVITY
FISCAL YEAR 1981

As of July 31, 1981

Countries of Asylum/RPC's	October 1, 1980 Population	FY 81 Additions (+)		FY 1981 Reductions (-)					This Month's Population
		Arrivals	Other	To U.S.	3rd Countries	Vol Repatriation	Other	RPC'S	
Hong Kong	27,676	7,283	946	13,312	7,044	0	148	730	14,671
Macau	4,268	545	75	958	1,151	0	552	636	1,591
Indonesia	5,680	8,303	45	5,094	3,447	0	5	106	5,376
Japan	1,483	1,221	20	783	313	0	0	0	1,628
Malaysia	13,412	22,465	132	11,450	8,306	0	11	2,000	14,242
Philippines	3,445	7,075	23	1,738	974	0	3	1,729	6,099
Singapore	2,367	6,234	7	1,256	2,962	0	0	1,550	2,840
Thailand	5,982	20,976	0	2,861	3,169	0	0	8,867	12,061
Other	216	410	6	183	37	0	0	0	412
o Total Boat	64,529	74,512	1,254	37,635	27,403	0	719	15,618	58,920
Thailand - Khmer	156,719	0	0	8,891	7,999	0	0	16,174	123,655
Thailand - Hmong	56,302	5,263	0	5,460	0	40	0	77	55,988
Thailand - Lao	49,978(A)	18,152	0	11,224	5,199	179	0	8,305	39,422 (A)
Thailand - Vietnamese	2,882(B)	5,801	0	875	947	0	0	4,260	2,601 (B)
o Total Land	265,88[illegible]	29,216	0	26,450	14,145	219	0	28,816	221,666
o Total Direct (ODP)	0	5,901	0	2,176	3,275(C)	0	0	14	0
Bataan RPC	12,625	28,516	484	23,466	811	0	26	0	17,322
Galang RPC	2,756	16,460	130	9,118	897	0	2	82	9,247
o Total RPC's	15,381	44,976	614	32,584	1,708	0	28	82	26,569
o Grand Total	345,791	109,629	1,868	98,845	45,335	219	745	44,530	307,155

* RPC arrivals are not added down into arrival Grand Total because it would result in double additions.

** Departures from RPC's are not subtracted across Grand Total line because it would result in double subtraction.

(A) Thai Ministry of Interior censuses at Nong Khai and Ubon camps reduced their population rolls by 4,923 Lao refugees, who had earlier left camp but not been removed from camp rolls. Actually about 1,500 new Lao refugees entered UNHCR/MOI camp system during July 1981 and are destined for Nakhon Phanom holding center.

(B) This is a UNHCR mathematically derived figure. No land Vietnamese been permitted to enter camp NW-9 on the Thai-Kampuchean border in the last three months. This is the UNHCR's revised estimate of the total number of land Vietnamese now in camp.

(C) Now includes newly received UNHCR report of 2,079 moved to other countries via "Air France" program earlier this year.

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INDOCHINESE REFUGEE ACTIVITY
APRIL 1975 THRU JULY 1981

As of July 31, 1981

Countries Of Asylum/RPC's	Total Additions Since 4/75 (+)		Total Reductions Since 4/75(-)					This Month's
	Arrivals	Other	To U.S.	3rd Countries	Vol Repatriation	Other	RPC's	Population
Hong Kong	103,003	946	41,063	43,393	0	148	4,674	14,671
Macau	7,186	75	1,945	2,385	0	552	788	1,591
Indonesia	66,564	45	37,875	23,247	0	5	106	5,376
Japan	5,110	20	2,500	1,002	0	0	0	1,628
Malaysia	159,770	132	79,649	61,500	0	11	4,500	14,242
Philippines	22,642	23	8,037	5,539	0	3	2,987	6,099
Singapore	24,255	7	4,500	14,153	1	0	2,768	2,840
Thailand	62,791	0	22,188	15,034	0	0	13,508	12,061
Other	31,472	6	2,632	28,434	0	0	0	412
o Total Boat	482,793	1,254	200,389	194,687	1	719	29,331	58,920
Thailand - Khmer	211,648	0	31,651	34,488	0	0	21,854	123,655
Thailand - Hmong	123,567	0	47,993	19,469	40	0	77	55,988
Thailand - Lao	145,000(A)	0	62,675	31,147	246	0	11,510	39,422(A)
Thailand Vietnamese	22,912(B)	0	7,072	8,801	0	0	4,438	2,601(B)
o Total Land	503,127	0	149,391	93,905	286	0	37,879	221,666
Orderly Departure Program	9,540	0	2,341	7,199(C)	0	0	14	
Vietnam to U.S. in 1975	124,547	0	123,000	0	1,547(D)	0	0	0
Vietnam to China in 1975	263,000	0	0	263,000	0	0	0	0
o Total Direct	397,087	0	125,341	270,199	1,547(C)	0	14	0
Bataan RPC	48,395	484	30,707	824	0	26	0	17,322
Galang RPC	19,384	130	9,201	982	0	2	82	9,247
o Total RPC's	67,779	614	39,908	1,806	0	28	82	26,569
o Grand Total	1,383,007	1,868	515,029	560,597	1,833	747	67,306	307,155

* RPC arrivals are not added down into arrival Grand Total because it would result in double addition.

** Departures to RPC's are not subtracted across Grand Total line because it would result in double subtraction.

(A) Thai Ministry of Interior censuses at Nong Khai and Ubon camps reduced their population by 4,923 Lao refugees who had left camp earlier, but who had not been removed from camp rolls, and increased cumulative Lao refugee departures to third countries by 3,828. Actually about 1,500 new Lao refugees entered the UNHCR/MOI camp system during July 1981 and are destined for the Nakhom Phanom holding center.

(B) This is UNHCR mathematically derived figure. No land Vietnamese have been permitted to enter camp NW-9 on the Thai-Kampuchean border for the last three months. This is the UNHCR's revised estimate of the total number of land Vietnamese refugees now in camp.

(C) Now includes 5,553 UNHCR reported were moved to other countries via "Air France" program between May 1979 and February 1981.

(D) All returned from Guam in 1975 on ship Thuong Tin I" to Vietnam; several dozens have since fled Vietnam by boat beginning in early 1979.

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DEPARTURES TO U.S. AND THIRD COUNTRIES
CURRENT MONTH

As of July 31, 1981

From To	Hong Kong	Indonesia	Japan	Macau	Malaysia	Philippines	Singapore	Thailand (Boat)	Thailand (Land)	Other	Direct Departures	RPC's	Total
Argentina	0	0	0	0	0	0	0	0	0	0	0	0	0
Australia	25	103	0	0	627	49	181	124	249	0	5	3	1,366
Belgium	0	0	10	0	0	0	0	0	9	0	22	0	41
Canada	93	124	0	46	71	5	25	58	236	0	120	0	780
China	0	0	0	0	0	0	0	0	0	0	0	0	0
Denmark	0	0	0	0	0	0	0	0	0	0	0	0	0
France	123	28	0	0	88	9	49	9	1,152	0	158	2	1,618
FRG	0	0	0	0	21	4	4	32	12	0	46	178	297
Italy	0	1	0	0	0	0	0	0	0	0	12	0	13
Netherlands	0	17	0	0	0	0	0	0	0	0	5	0	22
New Zealand	0	0	0	0	0	0	0	11	109	0	0	4	124
Norway	8	0	8	0	0	0	0	0	0	0	0	0	16
Sweden	0	0	0	0	0	0	2	1	0	0	363	0	366
Switzerland	39	0	2	0	16	0	9	20	122	0	6	8	222
United Kingdom	60	0	0	0	0	0	38	0	0	0	22	0	120
Other	10	0	10	11	0	9	0	0	0	0	12	0	52
Total 3rd Ctry	358	273	30	57	823	76	308	255	1,889	0	771	197	5,037
Total U.S.	1,311	249	86	30	1,000	128	137	335	2,960	0	0	4,887	11,123
Grand Total	1,669	522	116	87	1,823	204	445	590	4,849	0	771	5,084	16,160

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DEPARTURES TO U. S. AND THIRD COUNTRIES
APRIL 1975 TO END OF REPORT MONTH

As of July 31, 1981

From / To	Hong Kong	Indonesia	Japan	Macau	Malaysia	Philippines	Singapore	Thailand (Boat)	Thailand (Land)	Other	Direct (A) Departures	RPC's	Total
Argentina	29	2	0	0	0	0	1	0	1,242	7	0	0	1,281
Australia	2,321	8,643	212	166	23,247	1,030	1,622	4,826	8,708	3,616	183	49	54,623
Belgium	155	175	72	0	467	29	231	56	1,746	842	653	4	4,429
Canada	13,309	8,821	200	1,492	20,819	1,891	715	4,484	17,374	7,325	871	16	77,317
China	34	0	0	0	2	0	0	5	2,547	0	263,000	0	265,588
Denmark	617	158	8	61	354	46	375	237	16	199	3	7	2,081
France	930	1,113	46	3	4,270	716	1,928	2,264	50,317	12,945	3,228	27	77,787
FRG	2,241	2,275	16	12	3,889	463	2,497	1,103	3,650	574	937	1,445	19,102
Italy	111	28	0	0	771	6	1,006	149	631	177	103	0	2,982
Netherlands	396	59	25	0	1,316	265	1,462	185	147	155	281	4	4,278
New Zealand	272	413	2	0	1,312	158	18	271	1,245	261	23	19	3,994
Norway	333	34	169	5	95	94	1,269	333	92	0	1	216	2,641
Sweden	105	731	0	289	1,148	4	6	2	1	0	381	2	2,669
Switzerland	584	542	55	94	2,475	182	1,645	312	2,067	761	202	11	8,930
United Kingdom	11,622	46	84	111	341	238	564	601	455	1,027	145	5	15,239
Other (B)	10,334	200	113	152	993	417	551	206	3,667	545	188	1	17,367
Total 3rd Ctry	43,393	23,240	1,002	2,385	61,499	5,539	13,890	15,034	93,905	28,434	270,199	1,806	560,329
Total U.S.	41,063	37,875	2,500	1,945	79,649	8,037	4,500	22,188	149,391	2,632	125,341	39,908	515,029
Grand Total	84,456	61,115	3,502	4,330	141,148	13,576	18,390	37,222	243,296	31,066	395,540	41,717	1,075,358

Note: (A) "Other country" direct departures do not include 5,000 locally settled in Hong Kong between 1975 and late 1978, who were moved from Vietnam to HKG by "semi-direct departure". "Other country" direct departures" further excludes about 4,000 ethnic Chinese moved from Vietnam by ICRC for local settlement in Taiwan between 1976 and 1980.

(B) "Other country" departures from Hong Kong camps include 9,000 boat refugees who arrived there in 1975 and were locally settled in Hong Kong. "Other country" departures from "other" exclude 6,000 refugees locally settled in Taiwan in 1975. "Other country" also excludes about 5,000 Muslims from Kampuchea, moved from camps in Thailand to settle in Malaysia, about 2,000 in 1975-76 and 3,000 in 1980-81.

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REFUGEE CAMP POPULATION

As of July 31, 1981

THAILAND: 220,775 Land Refugees + 11,332 Boat Refugees = 232,107 Refugees in Country.

Highlander
(Camps include some Lao Refugees)

- Chiang Khong	5,213
- Chiang Kham	3,721
- Ban Nam Yao	9,750
- Sob Thuang	8,128
- Ban Vinai	31,005
	57,817

Land Vietnamese

- Sikhiu	695
- NW-9	---
	695

Lao

- Nong Khai	13,495
- Ubon	14,486
	27,981

Lao Holding Center

- Nakhon Phanom	2,855
- Nong Khai for transfer to Nakhon Phanom	4,594
	7,449

Khmer

- Surin	3,031
- Aranyaprathet	---
- Phanat Nikhom	10,984
- Mairut II	12,263
	26,278

Boat Vietnamese

- Songkhla	2,546
- Laem Sing	258
- Phanat Nikhom	6,045
	8,849

New Khmer In Holding Centers

- Kap Cherng	6,165
- Khao I Dang	43,405
- Sao Keo	28,116
- Kamput	13,277
- Mairut I	3,373
	94,336

Transit Centers

- Land Refugees	6,219
- Boat Refugees	2,483
	8,726

MALAYSIA

- Pulau Bidong	9,884
- Kl. Transit Center	4,480
	14,364

INDONESIA

- Kuku	447
- Galang	4,807
	5,254
- Galang RPC	8,618

PHILIPPINES

- Palawan	6,098
- Bataan RPC	17,323

SINGAPORE	2,600
HONG KONG	15,055
MACAU	1,623
TAIWAN	280
JAPAN	1,629
KOREA	160

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MONTHLY FY 1980 INDOCHINESE REFUGEE ARRIVALS IN COUNTRIES OF TEMPORARY ASYLUM

Countries	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total FY 1980
	Boat Refugees												
Hong Kong	684	688	421	99	157	426	381	1,404	2,511	1,467	1,556	425	10,219
Macau	20	90	325	95	47	131	443	1,217	155	91	3	21	2,638
Indonesia	467	162	0	88	133	236	186	1,070	676	315	206	424	3,963
Japan	530	144	1	131	4	84	83	61	162	74	33	145	1,452
Malaysia	653	457	854	798	923	1,551	1,956	2,264	2,466	1,416	864	618	14,820
Philippines	398	0	4	105	54	117	113	307	342	913	841	240	3,434
Singapore	574	77	36	196	198	580	991	1,228	1,641	1,177	770	612	8,080
Thailand	187	895	979	1,196	3,429	2,268	2,281	2,773	2,218	777	1,046	209	18,258
Other	29	51	150	0	22	85	0	25	3	2	773	1	1,141
Total Boat	3,542	2,564	2,770	2,708	4,967	5,478	6,434	10,349	10,174	6,232	6,092	2,695	64,005
Land Refugees To Thailand													
From Laos	3,482	1,721	218	4,627	10,970	9,336	5,172	7,642	10,917	4,301	4,374	2,904	65,664
New Khmer	0	0	0	0	0	0	0	0	0	6,500	4,900	1,807	13,207
Total Land	3,482	1,721	218	4,627	10,970	9,336	5,172	7,642	10,917	10,801	9,274	4,711	78,871
Grand Total	7,024	4,285	2,988	7,335	15,937	14,814	11,606	17,991	21,091	17,033	15,366	7,406	142,876

Note: Figures for new Khmer refugees represent refugees transferred from holding centers into Phanat Nikhom for resettlement processing.

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Document No. 1380B

MONTHLY FY 1981 INDOCHINESE REFUGEE ARRIVALS IN COUNTRIES OF TEMPORARY ASYLUM

As of July 31, 1981

Countries	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total FY 1981
Boat Refugees													
Hong Kong	445	328	299	273	204	816	1,051	1,239	1,110	1,434			7,199
Macau	47	74	26	86	0	14	30	43	123	87			530
Indonesia	2,027	734	142	147	427	294	1,170	1,489	992	346			7,768
Japan	195	5	340	0	30	9	81	117	325	111			1,213
Malaysia	2,046	2,201	1,200	2,464	1,215	1,094	3,500	5,370	2,325	1,022			22,437
Philippines	958	688	28	154	289	463	1,015	923	1,434	1,118			7,070
Singapore	978	868	41	116	182	153	609	1,914	948	423			6,232
Thailand	1,575	1,511	2,266	2,331	1,683	2,250	3,273	3,209	2,677	201			20,976
Other	22	1	0	53	0	57	62	0	215	0			410
Total Boat	8,293	6,410	4,342	5,624	4,030	5,150	10,791	14,304	10,149	4,742			73,835
Land Refugees To Thailand													
From Laos	6,322	3,725	4,029	4,506	4,966	3,800	3,460	1,542	1,891	1,800			36,041
New Khmer **	4,600	850	1,211	1,831	1,717	17,826	13,938	2,513	0	0			44,486
Total Land	10,922	4,575	5,240	6,337	6,683	21,626	17,398	4,055	1,891	1,800			80,527
Grand Total	19,215	10,985	9,582	11,961	10,713	26,776	28,189	18,359	12,040	6,542			154,362

** Figures for New Khmer represent refugees transferred from holding centers into Phanat Nikhom and Mairut (II) for resettlement processing. Relatively small numbers of Vietnamese moved from Thai-Kampuchean border are also included in "New Khmer" when moved to these processing sites.

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REFUGEE STATISTICS FOR 1ST HALF AUGUST 1981

Country	To Arrivals	Departures			
		United States	Bataan	Galang	3d countries
Thailand:					
Land	570	1,085	0	340	218
Boat	238	127	0	416	23
Subtotal	808	1,212	0	756	241
Malaysia	129	351	226		369
Singapore	50	8			153
Indonesia	154	133			12
Hong Kong	721	545			69
Macau	60	28			7
Philippines	310	43			8
Japan	41	59			10
Taiwan	11	0			0
Korea	8	0			0
Subtotal	1,484	1,167	226	0	628
Total, 1st asylum	2,292	2,379	226	756	869
Galang	416	673			0
Bataan	226	756			163
Subtotal RPC	642	1,429			163
Total		3,808	226	756	1,032

Notes: Thailand land refugee arrivals include estimates for Lao and Highlander only. Officially there are no arrivals of new Khmer into the Supreme Command Holding Centers. No land Vietnamese have entered NW-9 camp since April 1981; new land Vietnamese are kept at the border. Arrivals in August 1980 were 6,092 by boat and 4,374 by land into the UNHCR camp system, and a few hundred new Khmer from the border slipped into the holding centers.

Source: Department of State.

6-YR RESETTLEMENT TOTALS OF RECEIVING COUNTRIES

[Top 20 countries, ranked by ratio of refugees to population—1975–80]

Country	Population (millions)	6-yr resettlement total	Ratio of refugees to population
Israel	3.9	105,700	1:37
Malaysia	14.0	102,100	1:137
Australia	14.6	51,200	1:285
Canada	24.0	84,100	1:285
United States	222.5	677,000	1:329
Hong Kong	4.8	9,400	1:511
Tanzania	18.6	26,000	1:715
France	53.6	72,000	1:744
New Zealand	3.2	4,100	1:781
Switzerland	6.3	7,500	1:840
Sweden	8.3	7,300	1:1,371
Norway	4.1	2,700	1:1,519
Austria	7.5	4,300	1:1,744
Germany (FRG)	61.1	32,100	1:1,903
United Kingdom	55.8	27,600	1:2,022
Denmark	5.1	2,300	1:2,217
Belgium	9.9	3,900	1:2,539
Netherlands	14.1	4,700	1:3,000
China	975.0	265,000	1:3,679
Argentina	27.1	2,800	1:9,679

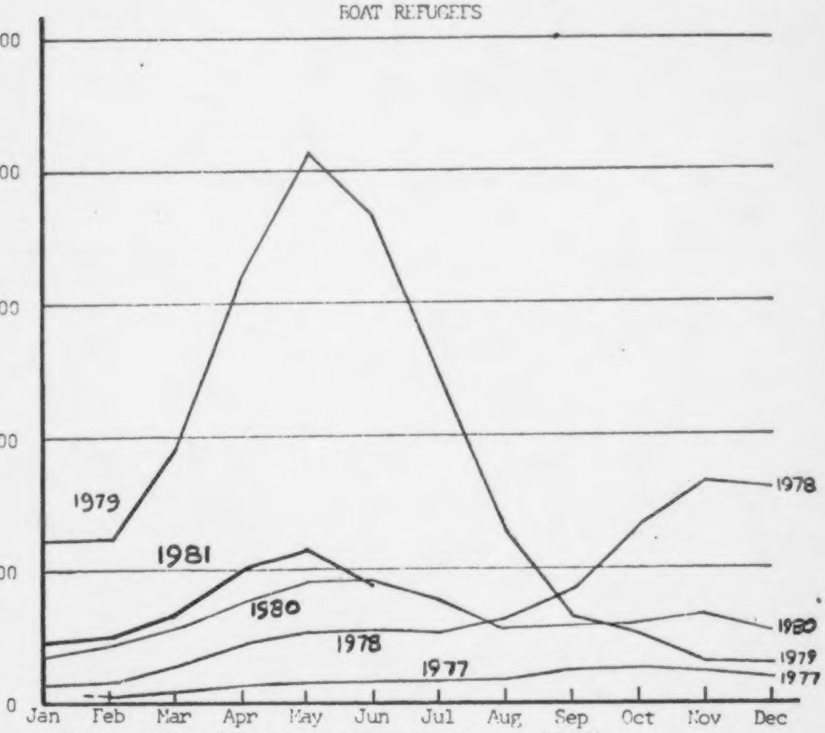
Source: U.S. Committee for Refugees.

In addition, over 265,000 Vietnamese of ethnic Chinese origin fled Vietnam in 1978–79 to the People's Republic of China following the border clash and hostilities between those two countries. Although several thousand of these refugees subsequently sought asylum in Hong Kong and Macao—and nearly 3,000 still remain in Macao—all others were returned to China following diplomatic efforts by the

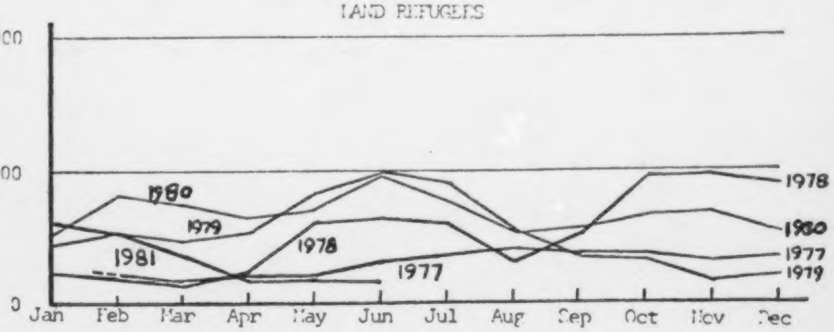
Hong Kong authorities and the U.N. High Commissioner for Refugees. Also, some Vietnamese of ethnic Chinese descent have been accepted in Taiwan and the Pescadores.

To date, only 2,000 refugees have been voluntarily repatriated to their native countries in Indochina.

INDOCHINESE REFUGEES ARRIVING IN SOUTHEAST ASIAN COUNTRIES
(Three-month Rolling Averages, 1977-80)


BOAT REFUGEES

Source: National Foreign Assessment Center (NFAC)


LAND REFUGEES

(a) *The "boat people" crisis and Geneva Conference.*—The flow of Indochinese refugees reached crisis proportions in late 1978 and early 1979 when the rate of "boat people" arrivals jumped from an average of only 10,000 every three months to over 40,000, and when the crisis in Cambodia spilled hundereds of thousands of starving Khmer refugees into Thailand. In response to this emergency, the United States supported the British Government's call for an international conference on Indochinese refugees—to carry forward the proposals discussed at an earlier international consultation on Indochinese refugees held in Geneva in December 1978.

When the nations of the world met in Geneva in July 1979 to review the Indochinese refugee crisis, close to half a million refugees were languishing in camps or spread along the beaches of Southeast Asia. Physical conditions were abysmal and the Office of the U.N. High Commissioner for Refugees (UNHCR) was without funds to provide even minimal humanitarian care.

Thanks to the leadership of the United Nations—to the role of Secretary General Kurt Waldheim and the UNHCR—coupled with the strong diplomatic support of the United States and France, the international community responded generously and compassionately at Geneva. The number of resettlement offers, as well as the funds available to help the refugees, doubled. In responding to the refugee emergency, the world not only acted to save lives, it also defused an explosive political and diplomatic problem.

The view that the Geneva Conference was an important success was noted by Senator Thurmond when he expressed, at the time the Judiciary Committee reported out The Refugee Act of 1980, his "favorable reaction to the action taken by the United Nations Conference on Refugees in Geneva . . . The Nations of the world have responded well to the plight of the 'boat people' of Vietnam and the 'land people' from Laos and Cambodia."[2]

Although the actions taken in 1979 successfully responded to the emergency at the time, providing sufficient resources and resettlement opportunities to relieve the problem through 1980, the basic parameters of the problem did not change and the flow of refugees continued—especially from Vietnam. There soon emerged a concern in many quarters that the refugee emergency in Southeast Asia was becoming institutionalized and that the flow and pressure for third country resettlement of refugees would never end. This question was raised during the Judiciary Committee's consultation hearing last year on refugee admissions for 1981. Senator Kennedy noted:

> the flow of Indochinese refugees continues unabated. Based upon the Department's report, the departure rate of Indochinese refugees, on an annual basis, has hardly changed over the past year. For every Indochinese refugee for whom the international community finds a resettlement opportunity in a third country, another moves to take his place in the countries of first asylum. Will the international community likely confront the same magnitude of a refugee problem in Southeast Asia next year?[3]

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[2] Remarks of Senator Strom Thurmond, Congressional Record, U.S. Senate, July 23, 1979, p. S-10391.

[3] U.S. Refugee Programs, 1981, Hearing, Committee on the Judiciary, U.S. Senate, September 19, 1980, p. 43.

The Department of State's response to the Committee was that they viewed the outlook "with cautious concern," that "we have made progress, but the situation remains serious." They noted that while "the overall camp population dropped very slowly" the "boat arrivals in first asylum countries started to climb . . ."

This prediction was certainly accurate. Since then the refugee camp population throughout Southeast Asia has risen to over 230,000—about 10,000 more than were in camps at this time last year. In addition, there are Khmer displaced persons (not considered refugees) encamped in Thailand or held in "holding centers" along the Cambodian border.

(b) *Continuing dilemmas.*—Given the continued exodus of people over the coming months, particularly from Vietnam, it is obvious that the international community, and especially the countries of first asylum in Southeast Asia, will face some of the same painful dilemmas next year that they have faced this year and every year since 1975.

The Indochinese refugee problem, and its root causes, have not gone away. And while there is a legitimate debate on the character of the problem—whether the flow is largely becoming a migrant flow of "economic refugees" or is still composed of "political refugees," or both—the numbers have hardly changed. This fact alone suggests that the United States and other countries cannot wash our hands of the problem, or define it out of existence. It is clearly in our national interest, as well as in our humanitarian traditions, to help these countries cope with the Indochinese refugee problem.

However, as previously recommended in reports to the Judiciary Committee, this does not mean that the only way to help is to resettle refugees in third countries. As discussed more fully in this report, there are other approaches and solutions—voluntary repatriations, local settlement, orderly departure—and these must finally be given the diplomatic priority and attention they deserve.

In short, the dilemmas and issues we face in Southeast Asia today involve more than the character of the present refugee flow and the definition of a refugee—and their resolution will require more than the simple provision of more resettlement opportunities.

2. CONDITIONS IN THAILAND

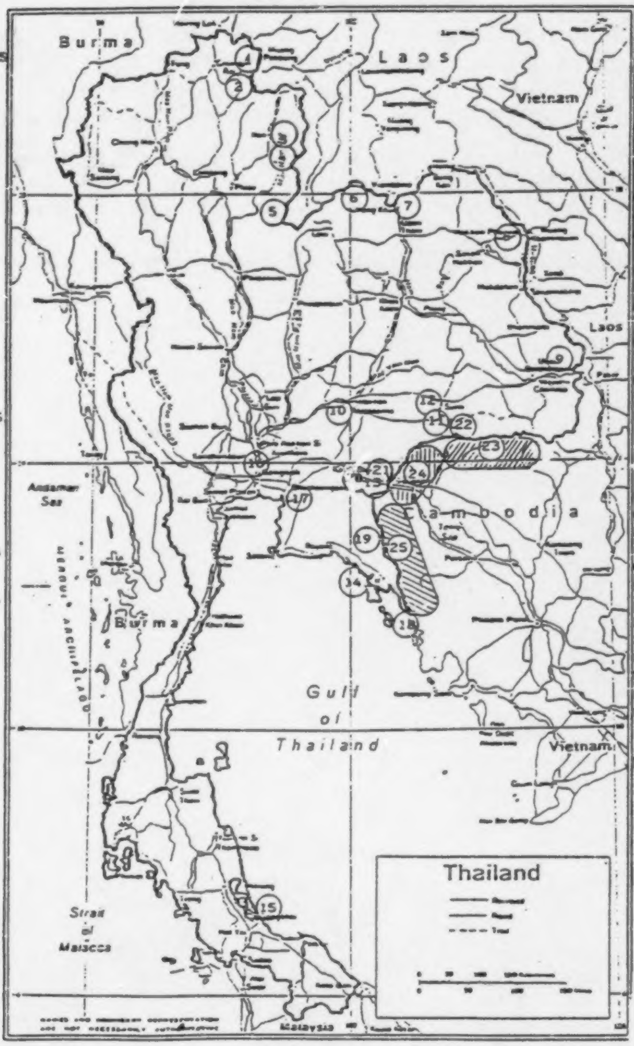
The people and government of Thailand have borne the brunt of the Indochinese refugee flow and, of all the countries of first asylum in the region, they alone have faced the three separate aspects of the Indochina refugee problem: overland Laotian refugees, Khmer displaced persons, and Vietnamese "boat people."

The presence of several hundred thousand refugees in Thailand for six years has been, and continues to be, a heavy economic, social and political burden for that nation. It continues to pose delicate diplomatic problems as well. As previous reports of the Subcommittee have noted. Thailand has commendably sought to fulfill internationally recognized standards for assisting and protecting Indochinese refugees—even though Thailand is not a signatory to the United Nations Refugee Convention or Protocol. At the same time, however, Thailand has not approached this task with a great deal of enthusiasm, and it has sought at every step of the way to discourage further movement into the country.

(a) *Thai Government Policy.*—Responsibility for the Thai Government's program has largely rested with the Ministry of the Interior, acting now under the supervision of the National Security Council. From the beginning, senior ministry officials have recognized that Thailand had three alternatives in dealing with the refugee presence: (1) voluntary repatriation, which many officials increasingly see as "an ultimate goal" for many refugees; (2) resettlement in other countries; and (3) the continued presence of certain numbers of refugees "under controlled circumstances," with the possibility of increased "self-sufficiency" and perhaps, ultimately, local settlement. To date, they have relied principally upon the second—the resettlement of refugees to third countries. However, they now appear to be considering the other options as well.

REFUGEE POPULATION IN THAILAND

(As of 31 July 1981)


Burma
Laos
Vietnam
Laos
Andaman Sea
Cambodia
Mergui Archipelago
Burma
Gulf of Thailand
Vietnam
Strait of Malacca
Malaysia
Thailand
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25

NEW KHMER	
16. BANGKOK TRANSIT CENTERS	801
17. PHANAT NIKHOM	11,666
NEW KHMER IN HOLDING CTRS.	
18. MAI RUT	15,636
19. KAMPUT	13,277
20. BAN KAENG	28,116
21. KHAO I DANG	43,405
22. KAPCHERNG	6,165
TOTAL:	119,066
NEW KHMER BEING FED ON BORDER* (ESTIMATED)	
23. NORTHERN TIER**	21,800
24. ARANYA-PRATHET AREA	124,441
25. SOUTH OF ARANYAPRATHET	45,000
TOTAL:	192,082

* INCLUDES RESIDENTS ONLY

** FEEDING TO THIS POPULATION IS SPORADIC

POPULATION IN MOI/UNHCR CAMPS	
1. CHIANG KHONG	5,213
2. CHIANG KHAM	3,721
3. BAN NAM YAO	9,750
4. MAEJARIM	8,128
5. UTTARADIT	*closed May 1980*
6. LOEI	31,005
7. NONGKHAI	13,495
8. NAKHON PHANOM	7,449
9. UBON	14,486
10. SIKHIU	695
11. SURIN	3,031
12. BURIRAM	*closed Apr 1981*
13. ARANYA-PRATHET	*closed Jun 1981*
14. LAEM SING	258
15. SONGKHLA	2,546
16. BANGKOK TRANSIT CENTERS	670
17. PHANAT NIKHOM	12,594
TOTAL:	113,041

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STATISTICAL REVIEW OF REFUGEE SITUATION IN THAILAND

REFUGEE POPULATION IN THAILAND (AS OF JULY 31, 1981)

	Total	Percent of total
Khmer	123,131	53
Ethnic Lao	39,259	17
Highland Lao	55,785	24
Vietnamese	13,932	6
Total	232,107	100

In addition about 190-200,000 Khmer live in encampments along the length of the Thai-Cambodian border.

Average monthly arrival rate so far during 1981 is about 5,930 (of which 2,230 are boat refugees), compared to average monthly arrivals in 1980 of 10,477 (of which 1,796 were boat refugees).

UNHCR is responsible for care and maintenance of refugees in camps and holding centers and provides a basic diet, as well as shelter, electricity and water. UNICEF provides food to the border Khmer. ICRC and WFP play supporting roles to UNHCR and UNICEF.

Some 60 private voluntary agencies and international organizations provide supplementary care, including medical services, educational programs, and supplementary food to refugees in the camps and holding centers.

NET POPULATION CHANGE 1975–81

	Arrivals	Departures	Residual population	Percent increase over past year
1975	77,241	12,755	64,846	
1976	35,558	24,178	75,866	18
1977	35,750	14,021	97,595	29
1978	67,429	26,297	138,727	42
1979	189,285	68,845	259,167	87
1980	125,721	126,208	258,680	0
1981 (through July)	33,198	59,771	232,107	–18
Total	564,182	332,075	232,107	100

The refugee population during this period (see Graph 1 below) has been generally characterized by two distinct trends: an increasing land refugee population from Laos which peaked in 1979 and which has begun to decline, primarily as a result of larger resettlement offtake; and an influx of Cambodians in 1979 following the Vietnamese invasion and occupation of Cambodia, which doubled Thailand's refugee population in only a few months. This latter surge essentially ended in early 1980 when the Thais prohibited further entry of Cambodians.

REFUGEE DEPARTURES FROM THAILAND

Cumulative departures from Thailand as of 31 July 1981 were 332,075 of which the United States took 223,136, or about 67 percent. Except for about 17,000 Khmer who returned voluntarily to Cambodia during 1980–1981 (the 42,000 Khmer forcibly repatriated in 1979 are not included, because they were not considered to have been granted asylum in Thailand), and a few hundred Lao who have returned to

Laos over the past four years, all departures represent resettlement offtake.

The major departures for resettlement by ethnic group have been to the following countries:

Country	Cambodian	Laotian	Vietnamese	Total resettled	Percent of total
United States	53, 516	122, 270	47, 350	223, 136	67
France	18, 770	26, 849	6, 962	52, 581	16
Canada	5, 418	10, 794	5, 646	21, 858	7
Australia	3, 288	5, 070	5, 176	13, 534	4
Germany	833	1, 524	2, 396	4, 753	1
Others	6, 018	6, 559	3, 636	16, 213	5
Total	87, 843	173, 066	71, 166	332, 075	100

Coupled with Thailand's generally humane approach to the refugees has been an active policy to discourage any new arrivals. This policy has existed from the beginning of the refugee influx, but has progressively hardened with the passage of time. Since 1975, the Thais have sent out a variety of negative signals, sometimes dramatically, to make their point: governmental statements, occasionally stopping refugees at the Mekong River border, occasionally turning boat people back out to sea and worst of all, the forcible and tragic push-out of Khmer refugees into Cambodia in 1979.

There is much talk today about "humane deterrence" to stem the flow of "economic migrants," while still protecting true "refugees." In Thailand there is nothing new about this effort, nor over the debate about the motives behind the refugees arriving in Thailand. As early as August 1975, Thai authorities declared that all incoming refugees would be considered "illegal immigrants" subject to law and expulsion. The system established to implement this policy had most arriving refugees detained by border police for illegally entering Thailand and fined 200–600 baht (then about $10 to $30) per adult. If they could not pay this fine, the refugees were detained in special centers, usually for two to three weeks to "work off the fine." Upon release, the refugees were handed over to immigration officials who would eventually admit them to camps—which were usually adjacent to or nearby the detention facilities. The refugees would then fall under the mandate and competence of the UNHCR.

But declaring incoming refugees as "illegal aliens" and establishing a system to implement the declaration did little to discourage new arrivals. In recent months, therefore, the Thai Government has again revised its approach. The government has declared its intention to separate "economic migrants" from among the new arrivals and from those who fall under the mandate and competence of the UNHCR. Quite apart from the UNHCR assistance program, the Thai Government would assume full responsibility for the future of the "economic migrants."

This is similar to the consultations the Thai Government and the UNHCR had in July 1977, where they agreed on the principles and programs to be followed in implementing the humanitarian assistance program in behalf of displaced persons in Thailand. A statement accompanying the 1977 agreement noted: "It is recognized that a distinction must be made between persons who qualify as being within the competence of UNHCR and those who leave their country of nationality or habitual residence for reasons of personal convenience, for example, economic migrants, or persons who are not bona fide refugees."

No one quarrelled then with the above statement, nor can they now. The only question then as well as today, is how such a statement and policy will be implemented. In 1977, the United States cautioned the Thais against any strong action. Also, the UNHCR continued to consider Indochinese refugees to be refugees as a class for the purposes of providing humanitarian assistance. The United States has followed a similar policy in our resettlement program. Although Immigration and Naturalization Service officers in Indochina have asserted that a substantial number of the Vietnamese seeking asylum are not "refugees" under the Refugee Act definition, our policy has been to presume all Vietnamese are "refugees." The only determination made is whether they meet our priority categories for resettlement and are not excludable under our law.

(b) *Humane Deterrence.*—As in 1977, the Thai Government has renewed its efforts to send negative signals to the "sending countries" and they are trying once again to discourage new arrivals without actually closing their borders. But unlike 1977, the United States today is in public support of what is now officially called "humane deterrence." We are doing so only as long as it is truly humane and if adequate standards of protection and treatment are maintained. Thus far, this appears to be the case. Although the Thai Government is establishing "austere camps" for all new arrivals, they are doing so with the participation and inspection of the UNHCR.

In addition to austere treatment, the Thai Government has also announced that it will no longer permit the resettlement to their countries of new arrivals—threatening, in effect, to make new arrivals sit in camps for an unspecified period of time, perhaps years. There is a view, shared in many quarters of the U.S. Government as well as among officials of the UNHCR in Geneva, that the detention of new arrivals for a year or more will discourage further movement.

Only time will tell what effect this campaign of deterrence will have. Given what the refugees know they risk when they flee, especially the Vietnamese, their determination to find a new life may not easily be deterred by threats of an unfriendly reception. If this happens and the numbers continue, Thailand will likely appeal once again for countries to resettle new arrivals. That, in turn, will negate the deterrent effect of their latest campaign and for future campaigns.

Other solutions have been proposed: reducing "pull" factors which may include third country resettlement policies, and the broadcast of these policies by Voice of America and others; dealing with the root causes of the flow; processing refugees through an orderly departure program; and negotiating safe repatriation for persons who are deemed not to be bona fide refugees.

In terms of repatriation, the Thai Government has already initiated negotiations with the government of Laos. With the assistance of the UNHCR, diplomatic efforts are underway to repatriate several thousand Laotians who recently arrived in Thailand who are deemed not to be refugees. Negotiations are at a critical stage, and the United States should lend its full diplomatic support to this effort. The success of this first negotiated repatriation—a repatriation that is safe and carried out under the auspices and protection of the UNHCR—will be critical to the success of any future efforts.

Similar negotiations have not yet been initiated with Vietnam, although the Vietnamese Ambassador in Bangkok indicated that in principle Vietnam would be willing to accept the return of Vietnamese, on a case-by-case basis, who wished to return to their country. Obviously, considerable diplomatic effort will be required to achieve this in any systematic way, and it is unlikely that many Vietnamese refugees will want to return.

(c) *Local Settlement.*—Although the official Thai policy has consistently been that no refugees will be allowed to remain in Thailand—that all must move on to third countries or return to their native lands—there nevertheless has been a privately expressed willingness to accept local settlement of some Laotian refugees.

The ambivalence and uncertainty Thai authorities feel toward the local settlement of Indochinese refugees is understandable, and it is attributable, at least in part, to the bitter history they have experienced with refugees from Vietnam in 1954 and, earlier, from Burma. Because of this experience with the Vietnamese, combined with other cultural and ethnic factors, the Thais will not permit any Vietnamese to attain self-sufficiency in Thailand, much less local settlement.

Indeed, if local settlement ever comes, it will come unannounced. It will evolve over a period of time and will be seen as up-grading the camps and providing greater self-sufficiency. But it is inevitable that for several categories of refugees, self-sufficiency and local settlement is not only the more realistic, but also the more humane solution. This is especially true for many Hmong farmers and villagers, as well as lowland Lao who are culturally and linguistically close to the Thais.

The question has always been the timing for any effort to normalize the status of these groups of refugees—many of whom have been in Thailand since 1975. The Thai Government has progressively encouraged self-sufficiency among the Hmong refugees, but it has shied away from implementing local settlement as long as the influx of refugees continues. Obviously, the Thais have feared that moving on a program of local settlement would simply encourage a heavier influx.

Another hurdle in developing a local settlement scheme is the pressure on land in Thailand. Good agricultural land is now scarce, including government-held land, without encroaching on wilderness areas or game preserves. Thai officials are very concerned about the resentment local Thais express over giving refugees free title to public lands, which the local Thais would like to exploit, and have been prevented from doing so in the past.

As a result, Thai authorities are considering local settlement for the refugees in the larger context of general rural development programs which will benefit both local Thai villagers as well as the refugees. Cost estimates for such an undertaking vary considerably, depending on the number of people involved and the specific contents of any local settlement program. One estimate in 1978 involving up to 50,000 refugees puts the cost of an integrated rural development project at some $30 million per year over a three to four year period. Other estimates run considerably lower than that.

As the refugee problem drags on, and pending some action on local settlement, the Thai Government will continue care and maintenance for the Khmer camps along the border and encourage self-sufficiency for the Hmong camps in the North. They will also continue to seek more resettlement opportunities overseas, and demand that all Vietnamese refugees leave Thailand.

(d) *Camp Conditions.*—From the poor and chaotic conditions of many camps in 1976–1977, the camps today reflect the humane work of the UNHCR, the Thai Government, the voluntary agencies, UNICEF, the International Red Cross, and the support of the international community. Today there are no really "poor" camp conditions in Thailand. Adequate care and maintenance is being provided to all refugees, including the Khmer who, only a few months ago, were facing starvation conditions. All concerned should be commended for this achievement.

Since August 1975, following an appeal from the Thai Government, refugees have fallen under the mandate of the UNHCR. The UNHCR continues its special operation to receive and coordinate all international contributions in behalf of the refugees, and to work with the Thai Government and others in developing lasting solutions to the refugee problem—including local settlement, overseas resettlement, and voluntary repatriation. However, with the arrival of Khmer displaced persons in 1979, the focal point for their assistance has been given to the joint operation of the ICRC and UNICEF, with active voluntary agency support.

Thus far, the cooperative effort between UNHCR, ICRC, UNICEF, and the Thai Government has been geared to care and maintenance for the refugees, some self-sufficiency projects, and overseas resettlement and related services. The Thai Government has generously supplemented UNHCR contributions with services and land. Over the years, the Thai Government contributions have probably matched or exceeded outside contributions.

The refugees have been grouped in camps situated mainly along Thailand's northern and eastern borders. Thai officials say this was done to facilitate the accommodation of the refugees and the distribution of relief supplies, as well as for security reasons. Over the past year, the number of camps under UNHCR auspices have been reduced and the process of up-grading camp conditions which began in early 1976 has now been satisfactorily completed.

3. THE "BOAT PEOPLE" FROM VIETNAM

One of the most dramatic humanitarian problems in Southeast Asia involves the continuing exodus of Vietnamese "boat people" who, for a variety of reasons, have been moving from their native lands in search of resettlement opportunities in other countries.

This is not a new problem. It began in the closing months of 1975. Initially, the number of boat people was relatively small, and no major difficulties confronted the international community in protecting their rights or in meeting their needs. But as the months wore on and the number of boat people rapidly grew, serious problems suddenly confronted many governments in Southeast Asia and the international community as a whole. This flow reached crisis proportions in 1978–1979.

At the outset, the countries of Southeast Asia generally provided safe haven for the boat people, but they did so reluctantly and on a temporary basis, with the clear assumption that the refugees would be resettled elsewhere. But as early as 1976, the number of resettlement opportunities were not keeping pace with the growing number of boat people in safe havens. Serious backlogs developed by 1978. More and more Southeast Asian governments were refusing safe haven to new refugees and were forcing boatloads of homeless and sick people back to the open sea. This endangered the lives of thousands of refugees, and undoubtedly added to the number already losing their lives at sea. It was also serving to prejudice the willingness of captains of passing ships to rescue refugees from the many boats floundering on the high seas.

The boat people, like all other displaced persons from the Indochina Peninsula, were covered under the mandate of the UNHCR. As their plight became more desperate, the UNHCR, with the initial humanitarian goal of promoting temporary safe havens and the protection and care of these homeless people, began appealing in behalf of the refugees to the governments of many Asian countries and to international maritime organizations and the flagships of many nations. On July 28, 1976, the UNHCR found it necessary to issue the first of several international appeals for permanent resettlement opportunities for the boat people from Vietnam.

The issue of the boat people came to a head at the UNHCR consultation in Geneva in December 1978, but was not finally addressed until the international conference in July 1979. Stimulated by the United States' decision to increase our monthly quota from 7,000 a month to 14,000, there was a significant breakthrough in the number of third country resettlement opportunities. With Japan's offer to cover half the UNHCR's operational costs in Southeast Asia, the funding problems were also temporarily ameliorated. The crisis was apparently relieved, although the basic problem remained.

(a) *Changing Character of the Flow.*—As the flow of boat people continued unabated through 1980, the inevitable issue before the international community became: How long will it continue, and what other alternatives are there to simply doing more of the same—third country resettlement—with no end in sight?

There was also a concern growing in many quarters that the resettlement program was developing a momentum of its own. This issue was raised in last year's Judiciary Committee's hearing on the admission of refugees for 1981. The Department of State was asked whether "the United States' high-level admission program for Indochinese refugees may be contributing to the high-level exodus of refugees" and, specifically, if "there is any evidence that the well publicized international resettlement efforts in behalf of Indochinese refugees is now a significant factor in the decision of refugees to flee?"

The following was the Department's response:

> The idea that the international resettlement program acts to draw refugees from their native lands, has been a constant factor in our deliberations. It is clear that the international resettlement effort is well known among potential refugees in all three countries concerned but the significance of this factor is difficult to evaluate. By their own testimony, the major factors impelling the Vietnamese, at an average of 6,000 persons monthly since August 1979 and predominately ethnic Vietnamese, to continue to evade the Socialist Republic of Vietnam's (SRV) moratorium controls in effecting clandestine departures by boat are political repression of the SRV and the fact that members of the former middle and upper classes are seriously disadvantaged in the new society. The tremendous hardships and physical danger which all refugees risk during their escape are a clear sign of the persecution from which they flee. While the economies of all three Indochinese countries are seriously depressed, the societies' former leaders are the most disadvantaged through persecution by economic means.

This is still the official view held by many Department of State officials involved in the refugee program—that the risks the Vietnamese boat people take in fleeing Vietnam attests to the well-founded fear of persecution they feel. Also, the very act of leaving Vietnam illegally, places them in jeopardy if they are returned. Hence, they are all refugees.

There is, obviously, a great deal of force to this view. Yet, no one knows for certain what the motivations are behind the boat people's exodus. There remains a large grey area—people fleeing for a mixture of reasons and motives.

Nonetheless, it is also true to most observers that the character of the boat people flow has changed, even as it continues relentlessly. This should suggest to the Department of State that their own concern "that the international resettlement program acts to draw refugees from their native lands," should be a more significant factor in their deliberations than it has been to date.

From numerous interviews with Vietnamese boat people in the field, especially in Hong Kong, as well as from data collected in INS interviews, by foreign service officers and others, it is clear that a growing number of Vietnamese boat people, as well as Laotians, are risking flight primarily for economic reasons. A classic "migrant" flow is developing. Thus, without diminishing the "push" factors in Vietnam—including a very well-founded fear of persecution among many Vietnamese refugees—there is now developing an unmistakable "pull" factor as well.

The forces behind this pull factor have become clearer over time. The most powerful, of course, has been the grapevine—the word that has come back from those who have left earlier, and who write and describe their safe resettlement in what seems like a "land of milk and honey" compared to conditions in post-war Vietnam. The first evidence of this was documented in a survey which the UNHCR representative, the late Darrell Han, conducted throughout the refugee camps in Southeast Asia in 1977. Inevitably, the extent and force of this grapevine has grown since then.

In addition, news about the on-going international resettlement effort have been widely reported on the Voice of America, the overseas broadcasts of the BBC, and other outside reports. The successful arrival of tens of thousands of "boat people" to Vietnam's neighboring countries has only fueled the hopes of those still behind, but desiring to make the same journey. It weakens concerns over the obvious risks involved in taking to the high seas in small boats. This was clearly reflected in an interview with a Vietnamese fisherman in Hong Kong, who came a few weeks ago with his family and others from Haiphong. He had lived all his life in north Vietnam and, although he was Catholic, had survived the war years and tolerated the Communist regime since 1954—with no effort to flee then, as many northern Catholics did, or since. So why did he move now? To paraphrase his response: "Because times have been tough and he heard on the radio that the United Nations had established camps all around Vietnam to receive refugees—so he decided to go and find a new life." He and his family arrived in Hong Kong after several weeks at sea and they came with the same hopes and ambitions of all immigrants. But the fact remains that he is not a refugee, and he cannot be considered to be of "special humanitarian concern to the United States."

Although there is no conclusive data on numbers or percentages of persons like the fisherman—since no thorough studies or surveys have been undertaken—yet, from the evidence available it would seem wise for the United States, as well as the UNHCR, to revise its processing of new arrivals. For the purposes of accepting refugees for our resettlement program, it is time for the United States to begin determining the eligibility of Indochinese refugees on a case-by-case basis, irregardless of whether the UNHCR continues to treat them, for assistance purposes, as "refugees" as a class. (Indeed, there is a lively debate within certain quarters of the UNCHR that it, too, should help identify bona fide refugees among new arrivals.)

This new approach should be undertaken by the United States, if for no other reason, than to help protect the integrity of the term "refugee" in our law. Support for our Nation's refugee programs, as well as for the generous provisions of The Refugee Act of 1980, will be eroded if it is seen that non-refugees are being admitted as refugees. Since refugees are given special treatment under our immigration law, as a consequence of their special plight, we must not allow their special distinction to be blurred or their special treatment to be abused, lest we run the risk of losing public support for continuing efforts to help refugees around the world.

This said, it must also be noted that defining who is a refugee is hardly an exact science. As noted earlier, there is always a complex set of motivations behind the decision of any person to flee their homes for another country. Yet, to say that determining who is a refugee is a difficult task is not to say it should not and cannot be done. Also, if it is done, it must be done through a fair and open procedure.

Finally, there is the problem of what will be done with those who are not deemed to be refugees. We cannot simply ignore their presence in Southeast Asia and say they are no longer our problem. Indefinite confinement in camps only postpones the problem; it does not resolve it.

We can seek to channel Vietnamese boat people who are leaving primarily for non-political reasons, including for family reunion purposes, into an orderly departure program to be accommodated under the normal provisions of our immigration law, or we can try to provide for their safe and voluntary repatriation or resettlement elsewhere. For example, according to Department of State estimates, approximately 20 to 25 percent of the boat people interviewed for resettlement in the United States fall into the family reunion category (Category I). If this is so, it would be possible to accommodate 20,000 in an orderly departure program, and be absorbed under the regular provisions of the Immigration and Nationality Act, using no refugee numbers.

4. THE CAMBODIAN CRISIS

Over 250,000 Khmer displaced persons are now encamped along the Thai-Cambodian border or in "holding centers," fleeing the bloody repression of the fallen Pol Pot regime, the invasion of Vietnamese troops in December 1978, and famine conditions that overwhelmed their land in 1979–1980. Generally, the Khmer are not considered "refugees" for third country resettlement, and the lead international agencies providing for their care and maintenance along the border are UNICEF and the ICRC. The UNHCR monitors the running of several holding centers containing some 100,000 Khmer, but only a few of these seek—or perhaps more accurately, are allowed by the Thai Government to seek—resettlement in third countries.

Thanks to the contributions of the international community following the threat of mass starvation in Cambodia in 1979, the immediate relief needs of the Khmer have largely been met and conditions in the camps are acceptable and relatively stable. However, there is a mistaken perception that the basic food problems in Cambodia have been solved—that that crisis is over. On the contrary, conditions in Cambodia remain extremely precarious. The agricultural situation is far from clear, and many experts and international relief officials predict serious shortfalls next year. The political and military situation is even more unstable, with guerrilla forces actively operating out of bases along the Thai border, with the clear support of several outside countries.

The agricultural and political/military situation in Cambodia could deteriorate at any time, producing another massive humanitarian emergency along the Thai border and an inevitable flow of more refugees. Not only would this undermine efforts to resolve the fate of hundreds of thousands of Khmer already in Thailand, or along the border, but it would complicate even further international efforts to achieve peace and stability in Cambodia.

Clearly, the plight of the Khmer people must continue to command the attention and concern of the United States. We must join with others in the international community in monitoring closely the ongoing food needs in the camps as well as inside Cambodia. The two-year relief effort of the ICRC, UNICEF, and the voluntary agencies has succeeded in averting a famine, but our continued support is needed.

If the recent past is any guide, we must expect the worst, not the best for Cambodia—unless serious negotiations are undertaken to deal with the root causes behind the continuing conflict.

II. RECOMMENDATIONS

1. POLICY QUESTIONS CONFRONTING THE UNITED STATES

There is little doubt today that the United States will continue to face in the foreseeable future a complex set of humanitarian and foreign policy issues in Southeast Asia—problems not of our creation, nor even directly related to our involvement in the Indochina War—but which nonetheless must be addressed by our Nation. These issues must be addressed not only from our traditional humanitarian concern for refugees, but also from our national interest in the peace and stability of friendly nations in Southeast Asia.

Although there clearly has been substantial progress in the last several years in meeting many of the humanitarian emergencies that have developed in the region since 1975—especially in responding to the "boat people" emergency in 1978 and 1979, the underlying dilemmas and problems remain.

We have reached a critical stage in addressing the humanitarian and refugee problems in Southeast Asia. Either we drift along on our current course, with the danger of institutionalizing an on-going refugee/migrant flow, or we join with others in the international community in undertaking new initiatives and new approaches to deal with both the continuing movement of people from Indochina, as well as the root causes of this continuing flow.

The United States must join with other countries, especially with the ASEAN nations, in addressing the following set of difficult and inter-related issues:

(a) maintenance of adequate humanitarian assistance to meet the relief and rehabilitation needs of refugees, displaced persons, and others in need in Southeast Asia;

(b) protection of bona fide refugees and provision for their resettlement in third countries;

(c) safe and secure repatriation, under UNHCR auspices, for those who can return to their native countries;

(d) local settlement for those whose best interest is served by remaining where they are, with appropriate assistance from the UNHCR and donor countries;

(e) full implementation of orderly departure programs for those who seek to leave the countries of Indochina, especially family reunion cases from Vietnam;

(f) support for renewed diplomatic efforts to resolve the conflict that is the source of much refugee movement, especially from Cambodia; and

(g) improved relations with the countries of Indochina in order to deal directly with them in implementing orderly departure programs and in resolving problems that contribute to the flow of people, perhaps including post-war rehabilitation and reconstruction efforts, if appropriate.

Grappling with one, much less a combination of these issues, would tax the international community's best efforts under the best of circumstances—which do not exist in Southeast Asia today. But we and others must begin; our response must reflect a long-term commitment and effort. In our response to refugee needs, we must be prepared to continue our efforts to assist in resettling them. Any precipitous end to our participation in the on-going international resettlement effort could have grave consequences—not only for the refugees, but also for our relations with the ASEAN nations.

(a) *Humanitarian assistance.*—In recent years, the UNHCR program of assistance to Indochinese refugees in Southeast Asia has totalled well over $100 million annually. Of this, the United States has contributed approximately 25 percent, the Japanese nearly 50 percent. In addition, the United States contributes substantially more to the support of our domestic refugee admissions and resettlement program—the cost of care and maintenance, processing, transportation to the U.S., plus administrative and operational costs. Worldwide, this amounts to over $1.7 billion, with the Indochinese program receiving the largest amount.

In short, the United States has contributed substantial sums toward refugee resettlement, and the Indochinese refugee portion will remain high. Therefore, it is crucial that we continue to join other nations—and to pressure other nations—in supporting the on-going humanitarian programs of the UNHCR, ICRC, UNICEF, ICM and other agencies in Southeast Asia. The cost of neglect—in humanitarian as well as in political and foreign policy terms—would be greater.

(b) *Admission of bona fide refugees.*—As previously emphasized, the human exodus from the Indochina Peninsula since 1975 has created a continuing problem which involves a tangle of humanitarian, political, legal and security issues. Obviously, all of these factors should be weighed in establishing United States policy toward the continuing flow of people.

Until recently, the UNHCR and the international community generally have referred to the Indochinese who have fled their homelands as "refugees"—for purposes of providing humanitarian assistance and in the recognition that all were seeking a place of refuge. But an intense debate has developed over the past year about the changing character of the refugee flow. As noted earlier, there is growing evidence of a migrant flow, as opposed to persons who fall strictly within the definition of a "refugee" contained in the U.N. Convention and Protocol Relating to the Status of Refugees, and within the provisions of The Refugee Act of 1980. In both, a "refugee" is defined as a person who is unwilling on unable to return to his country "because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion," and who is not firmly resettled in any foreign country.

Interviews with refugees in the camps—both conducted by the staff and reported by INS as well as Embassy and voluntary agency officers—document that there is a great mixture of motives among the Indochinese leaving their native countries, and for setting out on a dangerous journey. There are without a doubt bona fide refugees. There are also economic migrants.

To resolve this question—to protect the integrity of the term "refugee"—the United States, in consultation with the UNHCR, should henceforth determine the eligibility of a refugee seeking admission to the United States on a case-by-case basis. There are differing views on how this selection process should be conducted, and by whom.

The Refugee Act requires that Immigration and Naturalization Service officers determine the eligibility of individual refugees. Some argue that consular officers of the State Department are better qualified to make such determinations. Although foreign policy properly influences our refugee policy and programs, there are also important domestic policy issues which must be considered. For this reason and in keeping with our system of checks and balances within our government, the Immigration and Naturalization Service should continue to be the agency responsible for determining individual refugee eligibility.

The use of group profiles of refugees is frequently mentioned as a method of facilitating the processing of large refugee flows. The employment of such profiles would be useful in proper circumstances, to be determined in consultation with Congress.

Refugee admissions for 1982: The inevitable focus of recent discussion on the Indochina refugee program has been the bottom-line question: how many Indochinese refugees can, should or need be admitted to the United States during the next fiscal year? The question of numbers has always been difficult, in part because we must attempt to forecast future needs which may or may not develop. We are also attempting to gauge our capacity to resettle refugees over a 12-month period under unfortunate budgetary constraints.

In 1981 the level of admissions established by the Administration, after consultations with Congress, was 168,000 refugees from Indochina. However, the most recent estimate on the actual number of Indochinese who will be admitted by September 30, 1981, is approximately 125,000—a short-fall of 25 percent from the original ceiling. This points out the difficulty in projecting accurately potential resettlement needs.

In establishing a new ceiling for the admission of refugees during 1982, we must seek a number that reflects the continuing resettlement needs among the camp population in the field; that acknowledges our limited capacity to absorb refugees because of growing domestic fiscal constraints; and which serves to reassure the countries of first asylum of our continuing concern, so that they will not close their borders.

Weighing all these factors, and after soliciting the views of senior government officials in Thailand and Hong Kong as well as American Embassy and INS officers in the field, it appears that the United States could reduce refugee admissions from Indochina in 1982 to a range between 80,000 to 100,000—depending upon developments in the field. Such a reduction would represent a cut of 50 percent to 35 percent over last year's ceiling. Obviously, this represents substantial cuts, and to go any further might endanger the lives of refugees and jeopardize our policies and relations in Southeast Asia. However, it must be stressed that whatever ceiling is set at the beginning of the fiscal year, the Refugee Act clearly establishes a mechanism for responding to refugee emergencies of "special humanitarian concern" to the

United States. Contrary to our practice in previous years—of anticipating (perhaps inviting) refugee resettlement needs from Indochina—the United States should now join with other countries in reducing the high profile of our Indochinese resettlement program.

(c) *Safe and secure repatriation efforts.*—The United States and other countries must obviously be concerned over the status of those Indochinese who are deemed not to be refugees, but who are unable to find permanent settlement. For many, repatriation will be an answer—if it is accomplished under international auspices with full regard for their safety and security upon their return.

The United States should strongly support current negotiations to establish a repatriation program for Laotians in Thailand, and to extend those efforts to the Vietnamese. The Laotian and Cambodian flow to Thailand has stabilized—albeit precariously and with a substantial residue left in Thailand. However, the flow from Vietnam threatens to continue, and it will remain the greatest source of next year's flow—with its increasing economic characteristics. During the Geneva Conference in 1979, Vietnam responded to international pleas that it enforce its borders and implement the orderly departure program. To date, there has been genuine efforts on Vietnam's part to control the outflow of illegal departures, but only limited progress on orderly departures. This suggests there may be some room for negotiation with Vietnam on these questions as well as repatriation. They must be pursued more vigorously by all concerned, especially the UNHCR and the ASEAN countries.

Obviously, the best solution for dealing with an unauthorized migrant flow is to legalize it to the extent possible (orderly departure), or to control it (border enforcement), or make it unrewarding (repatriation or "humane deterrence"). Again, these efforts will involve considerable and long-term diplomatic efforts; but they must begin.

Also, in pursuing these solutions for non-refugees, every effort must be made to protect the lives and status of bona fide refugees.

(d) *Local settlement.*—As reviewed earlier, the prospects for local settlement in Southeast Asia have remained dim since 1975 as the flow of refugees escalated each year. No country of Southeast Asia has been willing to even discuss publicly, much less implement, such a program lest it attract more refugees. If and when the refugee situation stabilizes, local settlement will clearly become an option for some refugees in Thailand and perhaps for a very small residual number in Malaysia, Indonesia and Hong Kong. But this option is clearly in the future. In the meantime, efforts should be made to move refugees toward increased self-sufficiency, especially in the Laotian and Khmer camps containing refugees not eligible or with little prospects of moving to a third country.

(e) *Implementation of the orderly departure agreement.*—For a variety of reasons, the orderly departure agreement negotiated between the UNHCR and the Government of Vietnam in March 1979 has not been fully implemented. Although there has been a steady flow of legal departures from Vietnam to France, to western European and other countries, only about 2,000 have left for the United States—despite a huge backlog of 14,000 family reunion cases, involving perhaps 70,000 family members.

Obviously, the potential for this program remains to be exploited by all parties concerned. It is by far the most desirable procedure to accommodate family reunion and other migration cases in Vietnam—especially those coming to our country. But there must be some motivation given to Vietnam before they will devote the resources or the personnel necessary to make it work for the United States. There must be some new intiatives on the part of the United States to get the program going.

The Vietnamese have not unreasonably suggested that the basic problem is the absence of consular relations between our two countries. Vietnam has insisted that they should largely control who departs Ho Chi Minh City and when—resisting the fly-in, fly-out presence of U.S. consular officers at Ton Son Nhut airport. They have also complained that U.S. officials seek to invoke every restrictive detail of our immigration law when approaching the orderly departure program, but waive or ignore all those same provisions when accepting the same people who leave Vietnam illegally on boats. In response, the United States has maintained that it cannot give a blank check to Vietnam and accept all who it decides should be allowed to leave Vietnam.

As the stalemate goes on, and lists of cases are exchanged through the UNHCR—the backlog of family reunion cases grows daily. There is an urgent need to find new ways to resolve this impasse, which now, more than ever, is relevant in our effort to cope with the on-going flow from Vietnam. The establishment of some form of U.S.-Vietnamese consular relations may now be justified if only to deal with this pressing humanitarian problem. The orderly departure program must be pursued with a much greater sense of priority and flexibility than it has been to date.

(f) *Root causes: Diplomatic efforts needed.*—There is little prospect that the massive flow of people from Cambodia will end, or hundreds of thousands already displaced will be able to return to their homes, until peace and stability is restored inside Cambodia. And there is little prospect this will occur as long as several nations, on all sides of the conflict, fuel the flames of conflict in Cambodia's countryside.

Obviously, diplomatic efforts to resolve the Cambodian tragedy—both its political and humanitarian aspects—will be very difficult. But to maintain the present course of voting year after year to seat the genocidal Pol Pot regime in the United Nations—of using only a stick and not a carrot with Vietnam—can only help to justify Vietnam's untenable claim that its army remains in Cambodia to "save" it from a return to the horrors of Pol Pot.

The recent Singapore discussions have done little to weaken this false claim. Clearly, there must be a negotiated solution, as remote and as difficult as that now appears.

2. ADDITIONAL RECOMMENDATIONS

(a) *Need for a U.S. Coordinator for Refugee Affairs.*—No nominee has yet been selected by the Administration to fill the high-level post of United States Coordinator for Refugee Affairs, now located in the Department of State. There has also been no appointment to fill the post of Director of the Bureau of Refugee Programs in the Department of State, although these programs now account for approximately a fifth of the total Department's budget.

More effective refugee policy and management would be served if the Administration moved to fill these two important posts with senior officials—thereby establishing firm direction and control over United States refugee programs and policies.

(b) *Internationalization of the program.*—The United States must redouble its efforts to maintain and expand international participation in the Indochinese refugee program—both additional funding as well as more resettlement opportunities. Since the Geneva conference in 1979, there has been some slippage in the contributions of several countries, including Canada. This must be reversed if the American people are to be persuaded that we must continue our efforts. An appropriate forum to strongly make this case is at the United Nations General Assembly meeting this month and next, leading to the next Executive Committee meeting of the UNHCR in Geneva in October.

The Indochina refugee program remains an international problem requiring an international response.

III. ADDITIONAL COMMENTS BY MR. TINKER

1. PROCESSING OF REFUGEES ADMITTED TO THE UNITED STATES

A source of considerable debate over the past nine months has been whether Indochinese refugees being processed for admission to the United States were, in fact, refugees under the terms of The Refugee Act of 1980. Referred to as the "INS deferral" problem, this issue was allowed to roll out of control, to tie up the bureaucracy for months, to cripple the functioning of the refugee program, and to confuse all concerned in the field. While the policy issues are important, the emotions that were engendered created more heat than light. And if nothing else, the episode underscores the need for a United States Coordinator for Refugee Affairs, to finally bring greater direction and control over U.S. refugee programs and policies—as well as to halt the petty squabbling in the field between officials in the Embassy and the Immigration and Naturalization Service, who now act as if they were not working for the same government, much less under the same program.

On the one side, starting with the INS office in Hong Kong, the argument since October 1980 has been that the Indochinese refugee flow has changed, that many are now economic migrants and not refugees under the U.N. definition, and that the Refugee Act of 1980 requires that INS officers individually screen all refugees for eligibility—that to do otherwise, would be "illegal."

On the other side, principally in the Department of State and the Joint Voluntary Agencies, the view is that Indochinese are refugees, that the characteristics of the flow have not really changed (only our impatience with it), and that the Indochinese cannot be safely returned to their countries without facing well-founded fears of persecution.

There has also been a lively debate over the degree of "push" and "pull" factors accounting for the continued exodus of Indochinese. Clearly, both factors exist.

Regrettably, this internal debate was allowed to go unresolved for many months until a final exchange of correspondence in July between the Secretary of State and the Attorney General temporarily laid it to rest. In the meantime, both sides went public with their views—to the press and to Congress. In the end, the impression was left that the Justice Department and INS were forced to abandon their position of "principle" in favor of the Department of State's "foreign policy" views.

Obviously, the issue is more complicated than this. And while the original INS position raised legitimate policy issues that should have been addressed—and which this report generally supports—on determining the eligibility of refugees for our resettlement program, it is not really a "legal" issue. The INS invoked the provisions of the Refugee Act to justify their position on the processing of refugees.

But although this may be wise public policy, it clearly is not mandated by the Refugee Act.

The former Indochina Refugee Assistance Program (IRAP) was based upon the Attorney General's exercise of his "parole" authority, contained in Section 212(d)(5) of the Immigration and Nationality Act. When the Refugee Act was signed into law, this parole authority was limited to exclude the admission of refugees. However, in the Conference Report accompanying final action on the Act, the conferees made it clear "that existing refugee parole programs will continue until a consultation on future refugee admission programs are held under the terms of this legislation." In the Senate, the first consultations under the Act were held in April and September 1980, and at neither consultation was the issue of INS determining the individual eligibility of Indochinese refugees raised—only their statutory role to review grounds of exclusion. The assumption in setting the 1981 Indochinese refugee program's ceiling was that the categories and general procedures followed in admitting refugees under the IRAP parole program would be carried forward. Nowhere in the hearing records or consultations is there any indication otherwise.

Since the previous parole program presumed that Indochinese were "refugees" as a class—in part because that was the manner in which the UNHCR and other countries were treating them—this approach was implicitly sanctioned during the Administration's presentation and Congressional consultation last year for the 1981 Indochina program. And there was nothing unusual about this, for there is nothing in The Refugee Act that prohibits us—the President in consultation with Congress—from admitting and determining refugees as a class. We currently do so under the Soviet Jewish refugee program.

Again, it may be wise policy to individually determine a refugee's eligibility—and this is implied in the UN Convention and Protocol as well as the Refugee Act—it is hardly "illegal" to do otherwise. INS officials were probably right—as this report suggests they were—that the time has come for the United States to individually determine the eligibility, as well as the excludability, of Indochinese refugees. But to unilaterally force this view in the field without high-level Executive Branch involvement or decisions, was unfortunate. It was also unfortunate that there was no U.S. Coordinator for Refugees Affairs to help settle the issue and to consult with Congress.

2. ROLE OF INS IN REFUGEE PROCESSING

The Senate version of the Refugee Act provided that the processing and formal admission of refugees could be undertaken either by INS or consular officers—whichever was appropriate. However, this provision was dropped in Conference.

From the recent experience, as well as from past problems with INS officers overseas, coupled with the findings of the recent General Accounting Office report, it is time to amend the law and phase INS out of the overseas processing of refugees. There is clearly a wasteful duplication of effort when two agencies of government—State Department consular officers and INS officers—are involved in the same enterprise. One is enough, and since the Consular Service now processes all other immigrants and nonimmigrants coming to the United

States, there is little reason why they cannot also process refugees. In fact, the Department of State largely does so now in Southeast Asia. Its officers oversee the preparation of all the paperwork and screening of refugees, except for the final interview and approval by an INS officer—which the GAO last year found averaged 6 minutes in Thailand and wasn't much longer this year when they were deferring cases on grounds of ineligibility.

Until the law is changed to either allow consular officers alone, or INS officers jointly with consular officers, to determine the eligibility of a refugee, the Attorney General and the Secretary of State should dispatch senior officials to Southeast Asia to establish new and fair procedures for determining the eligibility of refugees. INS officers on temporary duty from U.S. border inspection posts are not qualified to make a determination of an Indochinese refugees' eligibility—even if their interviews were expanded to an hour instead of 6 minutes. Such a determination involves a far greater appreciation and knowledge of the cultural and political forces at work in Indochina than INS officers are currently trained to have.

3. "ECONOMIC" REFUGEES?

In the current debate over what appears to be the growing "economic" motivations behind the movement of many Vietnamese seeking asylum, there is a tendency to forget, or to give too little emphasis to the fact that the economic factors many Vietnamese cite are the result of systematic persecution. Their economic plight under the new government is evidence of this persecution. And it is not only former government officials or professionals or the upper-classes that are being affected by Vietnam's new economic order; the privations reach down and affect many in the rural areas as well.

So it is not enough to say the Vietnamese are citing economic reasons for leaving. An interviewer must look beyond the listing of economic woes to find their root causes—which, in many cases, is not just a reflection of the general economic plight of Vietnam, but the product of individual acts of economic deprivation.

4. INDOCHINESE "BOAT PEOPLE" VS. HAITIAN "BOAT PEOPLE"

One of the principal objectives of United States diplomacy in Southeast Asia—and the rationale behind our maintaining refugee admissions at a high level—has been to persuade Southeast Asian nations to keep their doors open and provide first asylum. We have objected strongly to any effort to push "boat people" out to sea, or to interdict or redirect them elsewhere. We have labelled such behavior "inhumane" and contrary to the principles of international law and the U.N. Convention and Protocol Relating to the Status of Refugees.

Yet, on July 31st, the Administration announced a different set of standards and policies for a refugee problem closer to home—the movement of Haitian "boat people" to our shores. It is now the United States that will be interdicting boats on the high seas, "suspected" of carrying Haitians, and it will be American vessels and American officials redirecting boat people elsewhere or towing them back home if we determine them to be potential "illegal aliens"—which is what most Southeast Asian nations consider the Vietnamese boat people to be.

The diplomatic and legal implications of this double standard towards Haitians are clearly troubling—both for our policies in Southeast Asia as well as for our obligations under the U.N. Convention and Protocol. Unlike Southeast Asian nations who are not signatories to the U.N. Convention, the United States is. There are also troubling questions over how the asylum provisions of American law will be implemented by INS officers boarding and screening Haitians on the high seas.

For legal, diplomatic, and practical reasons, the Administration should abandon its announced policy for dealing with Haitians. Otherwise, our position in Southeast Asia will be seen as highly hypocritical. Haitian boat people can and should be screened safely on dry land—just as we and others in the international community have insisted that Indochinese boat people should be in Southeast Asia.

APPENDIX

THE INDOCHINESE REFUGEE SITUATION

REPORT TO THE SECRETARY OF STATE
BY
THE SPECIAL REFUGEE ADVISORY PANEL

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Washington, D. C.
August 12, 1981

PREFACE

The Special Refugee Advisory Panel (SRAP), in accordance with its mandate, has carried out an evaluation of the refugee situation in Southeast Asia, has reviewed present U.S. policies and programs in relation thereto, and herewith submits to the Secretary of State a report on the results of its mission together with Findings and Recommendations.

The report consists of two main parts -- (1) Overview, Findings and Recommendations, and (2) An Annex setting forth the history of the problem and its current status.

The report is based on Washington briefings and meetings, followed by a 25-day trip to Geneva, Thailand, Malaysia, Singapore, Indonesia, Hong Kong, the Philippines and Japan, for meetings with top leaders, U.S. and other government officials, and representatives of international organizations and voluntary agencies involved in refugee work. The Panel also visited refugee camps, "holding centers" and processing centers for talks with refugees and those dealing directly with their problems.

The Panel sought in every way to approach the problem comprehensively and objectively in terms of U.S. long-range national and international interests, as well as in accordance with our nation's humanitarian concerns and traditions. The Panel members particularly appreciate the way in which U.S. Embassies facilitated access to varying viewpoints relating to this problem, including those critical of current U.S. policies and programs.

The members wish to emphasize at the outset their great admiration for those many dedicated people -- in government, international organizations, voluntary agencies and in communities where refugees are resettled -- who, working together to grapple with one of the most compelling, complex and tragic problems of our times, have added a notable achievement to the annals of humanitarian endeavor.

The American role in this vast undertaking deserves special commendation.

I. OVERVIEW

Since the fall of the governments of Laos, Cambodia and Vietnam in 1975, some 1.4 million Indochinese have fled the new communist regimes to seek asylum in neighboring countries or elsewhere. The refugee flow increased rapidly in late 1978 and early 1979 primarily because of warfare in Cambodia and Vietnamese persecution and expulsion of ethnic Chinese. The increased exodus, already seen as a threat to regional stability, hardened the attitudes of Southeast Asian countries against granting asylum and led to urgent calls for international action to share the burden. The ensuing Geneva Conference in July 1979 resulted in a systemization of first asylum procedures, a marked expansion of international resettlement and successful pressures on Vietnam to curb its expulsions.

Of the almost 1.4 million who have fled Indochina, over three-quarters have been resettled. The U.S. has admitted over 500,000 Indochinese refugees; other western countries have resettled almost 300,000 (including 70,000 in France, 70,000 in Canada and 45,000 in Australia); and 265,000 Vietnamese, mainly of Chinese ethnic origin have been resettled in China, although some of the latter are now seeking secondary asylum in Hong Kong and Macao. Just short of 2,000 refugees have been voluntarily repatriated to the Indochinese countries.

The refugee camp population in Southeast Asia now totals approximately 225,000, plus about 95,000 Khmer now living in "holding centers" in Thailand and designated "illegal immigrants" by the Thai. In addition, there are estimated to be over 150,000 Khmer in encampments along the Thai-Cambodia border. Refugee flows are down from their high levels in 1979, but Vietnamese boat refugee arrivals for the first half of 1981 are up from the comparable period last year.

As in FY 1980, after consultation with the Congress, the Administration adopted plans to admit up to 14,000 Indochinese refugees monthly in FY 1981. For a number of reasons, actual admissions are likely to be closer to 10,500 per month. Priority is given to those with close family members and to former U.S. Government employees and those closely associated with the United States. However, increasingly, refugees who do not have these connections

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with the United States are included in our resettlement program for humanitarian reasons when they are not resettled in other countries.

There appears to be continuing widespread domestic support for our Indochinese refugee resettlement program. Offers of refugee sponsorship and Congressional votes to fund refugee assistance and resettlement have fully met resettlement demands. Support derives from the United States' historic humanitarian concern for the homeless and persecuted together with unique factors relating to our pre-1975 involvement in Vietnam and the nature of the present Hanoi regime. There is also broad appreciation of the foreign policy interests of the United States that the program serves. United States assistance and resettlement have been vital factors in maintaining stability and unity among the ASEAN nations.

Yet there have been mounting criticisms over the past two years. While relatively few question U.S. contributions to international refugee relief, more question our ability to maintain a large refugee admissions program for Indochinese as well as for untold numbers of other refugees. Problems with Cubans and Haitians, Afghans in Pakistan, and millions of displaced persons in Africa have not only tended to divert attention from Southeast Asia, but they have suggested the importance of our moving towards a refugee policy that realistically addresses the magnitude of the problems looming ahead. Questions relating to migrant workers and undocumented aliens have further complicated the issue.

Worrisome aspects of our Indochinese resettlement program include: (1) charges that an increasingly large proportion of the refugees are motivated primarily by "pull" factors such as economic betterment rather than by "push" factors such as persecution; (2) the fact that more and more of those entering our program have no immediate family connections in the U.S. nor direct connections with the U.S. in pre-1975 Indochina; (3) charges that there is a growing tendency among refugees to exploit our welfare system and complaints about the high costs of resettling refugees at a time when other social programs are being cut; and (4) the fact that, as other nations resettle fewer refugees, the United States is absorbing an increasingly large proportion of them.

It must be emphasized that the Indochinese refugee resettlement program is not an Asian solution to an Asian problem. It is essentially a Western solution. It has been the stated policy of the ASEAN countries not to accept refugees or settle displaced persons. Their willingness to provide first asylum to refugees from Indochinese countries was and is contingent upon expeditious third-country resettlement. Hence, if refugees arrive in ASEAN countries in numbers exceeding what third countries are willing to accept, they may once again be pushed back to sea or across borders. This is a solution with which we cannot live in all conscience, bearing particularly in mind our deep pre-1975 involvement in Indochina and our association with many of those who are fleeing.

On the other hand, the Panel came across evidence of a somewhat more favorable direction in terms of a diminishing refugee population in the ASEAN countries as a whole, and an overall decline in new arrivals. It is important here to make a distinction among the ethnic groups involved. While there has been diminution of the Lao, Hmong, and Khmer flows, this is not true of the Vietnamese boat people.

The key first asylum country is Thailand, "the frontline state," since it alone fronts on Laos and Cambodia and receives a sizeable share of the boat people from Vietnam. The refugee population in Thailand, which has been steadily growing through 1979, stabilized in 1980 and has dropped 9% so far this year. Our Embassy in Thailand estimates that, on the basis of "average" conditions of refugee arrivals and departures, the residual population in camps in Thailand will drop by 60,000 refugees between October 1980 and October 1981 to a level of 193,000.

Thailand, meanwhile, has taken steps to decrease the "pull" factor which has undoubtedly been drawing many lowland Lao and Khmer to Thailand. The outstanding example is Thailand's introduction of austere conditions in its camps for lowland Lao and its avowed intention to close down its largest Lao refugee camp in Nong Khai, which is visible to countless people in the Lao capital area just across the Mekong. It plans to transfer the residual population to another camp some distance away. Thailand is also doing what it can to encourage and support voluntary repatriation of Lao and Khmer. With regard to the Khmer, it is supporting efforts by the UNHCR to achieve agreement by all parties concerned with regard to safe land, air and sea routes for those choosing voluntary repatriation from Thailand to the interior of Cambodia. With regard to Vietnamese boat refugees, Thailand is reported to be considering closing Songhkla camp and holding all new boat refugees in an austere camp for an indefinite period. These refugees would not be eligible for resettlement.

In effect, Thailand, the key country, is beginning to deal with the problem on its own in an effort to reduce radically the number of new refugees. It remains to be seen, however, whether the austere camp conditions will comport with internationally accepted standards. Acceptable progress will depend on: (1) expeditious resettlement in third countries of those granted first asylum by Thailand, who are not amenable to voluntary repatriation; (2) Thailand's continuing to receive adequate outside financial and other support for its refugee efforts; (3) UNHCR access to these camps for monitoring purposes; and (4) coordination with other ASEAN countries.

It is important that this "Thailandization" of the program continue in a way that maintains a sound alignment of Thailand's interests and those of others involved in dealing with this issue. This requires, above all, mutual trust, actions based on good faith and close consultation between the ASEAN countries involved and the third countries supporting resettlement.

In the latter regard, a principal objective of the U.S. Government has been to ensure that the Indochinese refugee problem is recognized as an international problem and that the responsibilities -- including care and maintenance as well as resettlement -- are properly shared. While prospects for the involvement of more countries in resettlement do not seem bright, renewed efforts in that direction are in order. So are efforts to ensure that principal resettlement countries consult closely and do not reduce numbers so precipitously as to create serious problems amongst themselves and a hardening of ASEAN attitudes towards first asylum. Further efforts must also be made to enlist the financial support of countries which are limited in their ability to resettle, but are able to support international efforts financially.

The continuing turmoil in Indochina, including worsening living conditions, raises a possibility that at any time there could be an upsurge of refugee flows beyond the capability of other countries to absorb them. Warfare in Cambodia may largely frustrate voluntary repatriation from Thai holding centers to the interior of Cambodia as well as Khmer food relief in the interior. Of particular concern is the prospect of continuing, possibly increased, flows of Vietnamese boat refugees.

The prospect of an ongoing, substantial exodus strongly underlines the urgency for humane measures to deter the flow of increasing numbers of refugees whose reasons for fleeing derive more from normal migration motives than from fear of persecution. Certain deterrents, such as austere camps, sealing of borders, or keeping people in holding centers or refugee camps for long periods of time, are not attractive prospects. Yet these and other measures, such as ensuring that VOA, BBC and Radio Australia give adequate coverage of the extreme perils and hardships involved in taking to boats or crossing Cambodia by foot, must be considered. Objection to these measures out of hand by the United States will fuel the false belief, echoed throughout the region, that the resettlement program itself is the primary cause for the outflow of refugees.

A few critics of United States policy have even charged that failure to deter the flow stems from a deliberate American effort to destabilize Vietnam, a reckless charge for which the Panel found absoutely no grounds whatsoever.

The Panel, however, does not wish to exaggerate the potential impact of various deterrents on the total outflow of refugees. The fact remains that, as long as conditions of life in Indochina remain harsh and fighting in Cambodia persists, and as long as the Indochinese communist regimes oppress their people, many thousands will flee every year. This could continue for many years to come.

The Panel dealt at great length with the fundamental issue of Vietnam's attitudes towards the refugees and the means available to address these attitudes. The Orderly Departure Program (ODP), launched in 1980 after the UNHCR worked out procedures with Hanoi, is now in a state of suspension due to a *de facto* Vietnamese moratorium on its continuation. A thoroughly revised and properly functioning ODP offers the best way of maximizing the orderly safe departure from Vietnam of those for whom we have a special interest by virtue of close family ties in America or close pre-1975 associations with the United States Government, while also significantly reducing the number of boat refugees.

As to Cambodia and Laos, the Panel sought to determine whether there was any way in which the United States could, without unduly assisting these communist regimes, prevent famine conditions in these two countries, not only for basic humanitarian reasons, but also to mitigate refugee flows. Food relief measures have already been taken in Cambodia to good effect and their continuation seems acceptable to all parties concerned. Yet, there are worrisome signs that food relief may not continue to receive deserved attention or that expanded warfare in Cambodia will make it impossible.

Finally, and most fundamentally, there is the question of determining the degree to which our current policies towards Vietnam, Cambodia and Laos, relate to, indeed may even increase, the refugee flow. Actions, whatever their merits, which have the effect of generating refugee flows beyond the capability of the international community to handle, may well result in the pushing off of boats and similar scenes of horror. This would give rise to strains both internationally and among the ASEAN countries -- countries with which we have strong ties and whose contributions to peace and security in East Asia are vital.

II. FINDINGS

1. General

The Panel fully endorses the general direction of the Indochina refugee program. It believes any major departure from current policy would invite discord among the friendly parties involved: namely the countries of first asylum, the resettlement countries, and concerned international organizations and private voluntary agencies. Mutual trust and cooperation must be maintained; consultations must be close and continuous; there should be no sudden, uncoordinated departures from current lines of action.

The Panel also believes that commendable progress has been achieved in dealing with a problem which, if mishandled, could undermine relations between nations sharing basic interests and having common long-range objectives. The ASEAN nations, deeply affected by events in Indochina, enjoy closer relations today than ever before. ASEAN now commands world-wide respect as a regional grouping of nations and is seen as a force of major consequence for long-range stability, peace and progress in East Asia and the Pacific.

Unity among these friendly nations must be preserved. At the same time, basic humanitarian needs of victims of persecution and harsh treatment in the communist states of Indochina must be addressed.

The Panel recognizes -- and the following Findings and Recommendations reflect -- the need to assure that United States policy in the years ahead adequately addresses: (1) maintenance of the integrity of refugee status, including support of and obligations toward the refugee on the part of the international community; (2) the prospect of a long-term continuation of the exodus of boat people from Vietnam; and (3) the potential for increased land refugee flows from Laos and Cambodia in view of worsening conditions of life and the threat of widening hostilities.

Determination of the Indochina refugee admission level for FY 1982 should be premised on these considerations. In any event, no major reduction of the current actual admission level should be pursued without initial close consultations among all concerned first asylum and resettlement nations. The FY 1982 level should also take into account the need to reduce the number of first asylum refugees now in camps and to afford as equitable a sharing of the burden as possible among the resettlement countries.

2. Legal

The mass human exodus from Vietnam, Cambodia and Laos in the years following the withdrawal of the United States from the area has created a continuing problem which simultaneously involves legal, humanitarian, political and security considerations. All of these considerations must be weighed in defining a proper policy for the United States to follow as long as the human flow continues and, assuredly, as long as any sizeable number of people remain in camps facing an unresolved future.

All of those who fled their homeland are generically referred to as "refugees," in that they seek a place of refuge either on a temporary or permanent basis. In the strict sense of the term, however, it appears that some number of them, difficult to ascertain with accuracy, may not qualify as a "refugee" within the meaning of the term, defined in the 1967 U.N. Protocol Relating to the Status of Refugees, which was adopted by the United States in the Refugee Act of 1980. A "refugee" is defined as someone outside his country of nationality who is unwilling or unable to return to that country "because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion," and who is not firmly resettled in any foreign country. The Act limits admissions to those refugees "of special humanitarian concern" to the United States.

Interviews among camp inhabitants indicate a mixture of motives on the part of many who fled their homelands in Indochina. A large number clearly face persecution or have a fear, on a well-grounded basis, of persecution if they return home. Others, however, manifest a desire for an improved station in life, and fled primarily because of the economic or social conditions prevailing in their country of origin.

While it can properly be argued that these conditions derive from the prevailing political situation, the desire to improve one's living condition does not constitute, in itself, persecution within the legal meaning of that term. A proper refugee policy must distinguish between those who fled out of a fear of persecution for the reasons included in the definition of the term, as against those who seek to emigrate to ameliorate living conditions. The former is the underpinning of a special type of humanitarian concern, shared by the world community, whereas the latter comprises the human flow encompassed by normal immigration laws and procedures.

It is imperative that the refugee, as defined, remain a distinctive category of person. The vast majority of nations adhere to the U.N. Protocol and can properly be called upon to assume a fair share of the burden which arises from war, political upheavals and similar events. Although it might be desirable for all nations to adopt a more liberal or generous immigration policy, there is no international normative yardstick to define such a policy and nations are under no international obligation to do so. Similarly, while the United States has adopted a generous immigration policy, it should not stretch the concept of refugee beyond its proper boundaries lest the term itself be debased. In other words, the provisions of the Refugee Act of 1980 should apply to true refugees, not to those who might seek admission on other grounds provided for in the Immigration and Nationality Act.

If this distinction is clear in principle, it is, however, exceedingly difficult to apply in practice as to Indochinese refugees. Determination of motivation for fleeing is a highly subjective matter for the interviewer, requiring skill and painstaking effort and a general knowledge of the cultural and political situation which is operative. In circumstances of emergency which accompany most refugee exoduses, it becomes even more difficult a task.

The Panel is of the view that, as far as the Indochinese refugees are concerned, it is proper to maintain the current presumption that all those who have fled to date and are available for resettlement are refugees within the meaning of the Refugee Act. Accordingly, subjective intent on the part of any individual refugee now in camps and available for resettlement need not be determined by the Immigration and Naturalization Service (INS) as a precondition for entry to the United States. This presumption, however, must be periodically reviewed to determine its continued validity.

The Panel is of the belief that the people fleeing from Vietnam are unwilling to return and they would face persecution on the stated grounds were they to do so. Moreover, they are unable to return as Vietnam will not accept them back. They are therefore entitled to refugee status. The same conclusion was reached as to the Hmong people of the Laotian highlands. The Panel was less certain of the validity of this conclusion as to Lao lowlanders and to many fleeing severe economic conditions in Cambodia. It believes the presumption as to these two latter groups should be reviewed after empirical data is available as to the impact of humane deterrent policies now in force in Thailand.

The ASEAN countries of first asylum, largely in response to requests of the United States and other third countries, have been granting asylum to people fleeing from communist Indochina without attempting to distinguish between those who were primarily motivated by political factors and those primarily movitated by economic or "pull" factors. The ASEAN countries have done this in large part because they have assumed that countries of resettlement like the United States would continue to operate on the presumption that all granted first asylum had refugee status. Thus, a change of U.S. screening procedures on that key point would not only be regarded as an act of bad faith, but it might result in upsetting the progress which countries of first asylum are hopeful of achieving in reducing refugee flows through measures of humane deterrence.

In any event, the Panel believes the State Department is the proper U.S. Government agency to determine the prevailing political situation in the nation of origin of the refugees, and to review same from time to time; its conclusions as to presumption of refugee status should be binding on the INS. When the presumption of refugee status is not reached, INS must then review each refugee on a case-by-case basis, and its conclusions should be final in these cases. If an individual is refused refugee status, he should in no case be forcefully repatriated. Arrangements for voluntary repatriation must be in place between the UNHCR and the countries of origin, or some other holding operation be established.

The subject of categories used in selection of refugees is complex and technical and not one which the Panel has studied at length. Of specific concern, however, are several aspects: a) whether the category system has not itself produced an added "magnet" effect; b) whether the United States resettlement program has not been including individuals who are more legitimately the responsibility of other countries, and c) whether the resulting refugee intake reflects properly real United States priorities.

3. Repatriation and Resettlement

The Indochinese refugee problem can be broken down into four distinct components, corresponding to the four major ethnic groups involved, e.g, lowland Lao, Hmong, Khmer, and Vietnamese. By and large the repatriation and resettlement policies developed to deal with each group are reasonable and are being implemented effectively and humanely.

A. Lowland Lao: The character of the Lao flow has changed over the past year. Some Lao continue to come for essentially political reasons: to escape persecution for close association with the past regime or oppression under the new system. However, the majority of people now fleeing seem to be primarily motivated by a desire to improve their basic living conditions. Indeed, Nong Khai Camp, housing about half of all Lao refugees and lying just across the Mekong from Vientiane, bustles with commercial activity, and was considered by interviewed camp dwellers as a more attractive place to live than Vientiane.

A large number of Lao have resettled in the United States and other third countries. Only about one-third, however, are now seeking resettlement, and this essentially for reasons of family reunification. The potential resettlement pool among Lao has shrunk accordingly.

Under these circumstances, the Panel concluded that, in the case of many Lao, voluntary repatriation could represent a feasible long-term solution. According to UNHCR, some 300 people have already been successfully resettled. Thai/UNHCR efforts to arrange repatriation under a safe-conduct transfer and ongoing surveillance hold reasonable prospects for success and should be pursued vigorously. Provision for resettlement for family reunification and other high-category cases will remain clearly necessary.

B. Hmong: Almost all of the Hmong mountain people are motivated to leave Laos as a result of persecution and military operations -- including reported use of chemical weapons and defoliants -- by the Pathet Lao and Vietnamese soldiers. Nevertheless, very few of the 55,000 Hmong now in Thai camps evidently wish to resettle permanently in third countries. Since they cannot return to Laos safely at this time, the Hmong have indicated they wish to stay where they are for the time being. This is understandable because they also harbor a strong desire to remain together and to preserve their culture and traditional way of life. Under these circumstances, the Panel concluded that third country resettlement opportunities should be available to the Hmong, but not forced upon them, pending development of a feasible long-term solution within the area.

C. The Khmer: The majority of Khmer (Cambodians) sought refuge in neighboring Thailand for a mixture of reasons. Crop destruction and famine due to Vietnam's attack on Cambodia, plus fear of renewed fighting between the various contending forces in Cambodia, horror at the prospect of a return of Pol Pot to a position of power or control, and poor economic and social conditions stemming from these circumstances, seem to be the dominant motives. Some clearly have fled from political persecution under the Vietnamese-controlled regime of Heng Samrin.

The Khmer can be divided essentially into two groups: (1) over 150,000 held in agglomerations along the Thai-Cambodian border now closed to all refugees seeking to enter Thailand; and (2) about 95,000 in holding centers within Thailand.

Khmer who are in the border agglomerations have been maintained and supported by international organizations and volunary agencies. They do not have access to the holding centers and the resettlement stream. These Khmer are able to come and go from the encampments, where they can obtain food and other support as necessary. Many have returned home. These border areas are occasionally scenes of internecine fighting. While the Panel considered these circumstances less than ideal, ICRC, UNICEF and voluntary-agency support for these people should be continued until the situation ameliorates.

As to Khmer in the holding centers, UNHCR is currently attempting to negotiate a voluntary repatriation program between the Thai Government and Phnom Penh authorities which appears to have some prospects for success. This would be a preferred solution. To the extent it does not succeed, the United States, which has already agreed to resettle 45,000 from the holding centers, and other resettlement countries should be prepared to take additional Khmer.

D. Vietnamese: People flee Vietnam for diverse reasons. The vast majority is now coming from South Vietnam where there have been radical changes in the social and politcal organization of that country. Many represent the educated class, or had ties with U.S. forces in Vietnam, or have completed a term in a harsh "reeducation" camp and still cannot adjust to the new order in Vietnam. At this time a relatively small proportion of the refugees are ethnic Chinese. Statistics confirm a growing number of unaccompanied young males with no family ties in resettlement countries who, perhaps, represent an "anchor" to furnish a basis for other family members to follow. Many refugees state they cannot make a living or have no hope for the education of their children. Many just do not like the new system. Some resettlement countries, such as Australia and Canada, have expressed concern over the latter trend in motivations. The Panel found it almost impossible to ascertain the predominant motives for escape on the part of any individual refugee.

The Vietnamese constitute the hard core of the long-range refugee problem. After extensive questioning throughout its trip, the Panel concluded that these refugees, who arrive largely by boat after a hazardous trip where they are exposed to piracy, murder, rape and sinkings, cannot be feasibly repatriated to Vietnam, nor can the smaller number who arrive by foot in Thailand, after crossing Cambodia, be repatriated. The Panel was advised that discussions with Vietnam undertaken by Western diplomats in Hanoi as to possibities of repatriation offer no prospects in the foreseeable future. Moreover, no refugees are willing to be repatriated to Vietnam as long as present conditions prevail.

Local resettlement of Vietnamese was rejected sharply by all ASEAN nations.

The Panel recognized that serious efforts must be made, to the extent possible, to minimize the outflow of Vietnamese. Allegations were made by some that Voice of America and other radio broadcasts continue to advise and inform Vietnamese listeners of the best escape routes and methods of leaving, and do not give enough attention to the perils of escape and difficulties of resettlement. The Panel concluded that some of these claims were exaggerated. VOA indicates it merely reports the news events concerning rescues at sea. Whatever the facts are, the Panel believes that broadcasts should be balanced and clearly report hazards to life involved in seeking refuge and the difficulties attendant upon resettlement.

It was also suggested that pick-up vessels be removed from the Gulf of Thailand, that the Seventh Fleet not patrol these adjacent waters and that such facts then be broadcast widely. The Panel did not deem these to be practical or advisable recommendations. Nor did it approve of suggestions which would diminish efforts to control piracy in the Thai Gulf, even though high rates of piracy might conceivably deter refugees from fleeing by boat. To the contrary, the Panel felt that further measures should be taken to combat piracy.

4. Humane Deterrence

Despite their continued willingness to offer first asylum, govenments in the region are showing increasing impatience with the continuing flow of refugees and their inability to stem that flow. While hoping that circumstances will bring about a cessation of the flow of refugees, first-asylum countries are now seriously considering measures which, while not life-threatening or known to be overly harsh, are designed to discourage all but the most desperate of would-be refugees. Thailand, in particular, has shown interest in such "humane deterrence," and has started implementing this policy. It has established an "austerity camp" for Lao refugees where a bare minimum of food, shelter and medical care is provided. International and voluntary personnel are not admitted to this camp. Foreign visitors, including the Panel, have also been denied access. Resettlement from this camp is not now permitted.

In addition to minimum care, deterrence measures contemplated include detention of refugees for a lengthy period before determining their ultimate disposition either by resettlement or repatriation.

As noted above, the Thai Government reportedly plans to set up a similar camp or camps for Vietnamese boat refugees, who would be held in indefinite detention and not processed for resettlement. Indeed, it has already practiced this form of deterrence as to land Vietnamese who cross Cambodia on foot into Thailand, by holding them indefinitely in border camps surrounded by hostile Khmer. The Panel considers this latter practice to be dangerous to those Vietnamese. Moreover, as previously mentioned, Thailand's sealing of its border with Cambodia is, in itself, a form of deterrence.

It is too early to determine whether austere camp conditions and long periods of detention without clear prospects of resettlement will deter the flow of additional refugees in the future. There is, however, some indication that deterrence measures have had some effect on lowland Lao. The Panel felt considerable concern as to the inability of the international agencies, particularly UNHCR and ICRC, to monitor the standards and quality of life within the austere camp established to date for these Lao. Moreover, it is apparent that detention beyond some reasonable time period would pose serious problems for the Thai should the number of refugees increase without guarantees of ongoing resettlement which other countries might not be willing to give. Paradoxically, should resettlement resume, it might well negate the deterrent effect of this measure.

Extensive discussions with responsible government officials in all countries visited, as well as with employees of international organizations and volunteer agencies, led to considerable doubt as to the likely effect of austere conditions and lengthy detention on the outflow of Vietnamese refugees. Life in Vietnam is such that it appears many refugees would find even these conditions bearable if resettlement ultimately could be achieved. Moreover, conditions in austere camps must necessarily meet internationally-accepted standards of care and health; some monitoring device would therefore be required to ensure that this obtains. Conditions prevailing in camps such as those in Hong Kong, which are already stretched to their maximum capacity, probably come close to being austere by any reasonable definition of that term, and this situation has not served to deter Vietnamese refugees. Accordingly, the Panel was not optimistic that harsh camp conditions and prolonged detention would in fact serve to deter any sizeable number of refugees from Vietnam, and might, conversely, pose impossible burdens if the numbers of those arriving build up to intolerable levels.

5. Cambodian Relief

Both for humanitarian and political considerations, it is important that amounts of food necessary to sustain life in Cambodia be assured. Otherwise, people will be forced to flee their homes and seek refuge elsewhere, thereby adding to the burdens of their neighbors and the instability of the region.

International relief must continue to be extended to Cambodia for these reasons, as well as to encourage voluntary repatriation of as many refugees as possible now in holding centers in Thailand and to facilitate a reduction in the numbers of Khmer now massed in border agglomerations. From a humanitarian viewpoint, these measures are all the more vital in view of Thailand's sealing of the Thai-Cambodian frontier, denying further Khmer refugee entry into Thailand.

Unfortunately, after a two-year massive worldwide response to famine conditions in Cambodia in 1979, there is a growing misperception that the food problem in Cambodia has been solved. Agricultural experts indicate that this is not at all clear. Shortfalls are already threatened for this year and next. At the same time, many of the private voluntary agencies which led in the initial efforts to provide food and medical relief to Cambodia in 1979, have terminated or suspended their appeals and operational functions. UNICEF, which played a lead role, has already formally announced the cessation of its emergency appeal. Donor governments have greatly reduced their appropriations for food or other forms of aid.

In 1979 and 1980, practically all of Cambodia's food shortfall requirements were covered from abroad. Supplemental food shipments have continued this year as well. However, an initial crop planted by mid-1980 yielded a small harvest, and subsequent provisions of rice seed and other agricultural supplies only narrowly assured the planting of the crop in some areas this year. Any marginal shortfall in the harvest due, for example, to vicissitudes of weather, the military situation, or diversions by Vietnam could again raise the spectre of famine, thus increasing pressure for migration.

The Panel, therefore feels that this issue should be immediately reviewed so that a comprehensive set of evaluations and recommendations for upcoming rice and rice-seed needs can be shared with other governments, appropriate UN agencies, such as UNICEF, ICRC, FAO, and the voluntary agencies. A considerable degree of lead time is required, as well as logistical support, to ensure the success of a timely and effective program.

6. International Resettlement

The Indochinese refugee problem in all its aspects must continue to involve the international community. Resettlement and its attendant costs should be more widely shared than at present.

Belize, Surinam, and Guyana have expressed interest in Indochinese resettlement projects financed with outside assistance; some success has already been achieved along those lines in French Guiana for Hmong resettlement with the help of the French government.

Latin America offers the best prospect in this regard. Approaches to Latin American countries might well be more effective if made through non-governmental channels rather than by governments or international organizations. Official outside assistance, however, would unquestionably be required to make any such arrangement acceptable to the host country, and should be forthcoming in those cases.

To support these efforts, it would be helpful to have in hand a systematic study, enlisting the knowledge of informed specialists of areas, especially in Latin America, where resettlement projects would be most feasible and of greatest advantage to the communities and countries concerned. We understand that no such study has been undertaken to date.

Having said this, the Panel nevertheless does not wish to leave the impression that it believes these efforts to expand international participation in resettlement, commendable as they are, will have much impact on the total problem or spread the current resettlement burden to any significant extent. Indeed there is a real danger, to judge from conversations the Panel had with diplomatic representatives of principal resettlement countries, that some of these countries may soon reduce the numbers of Indochinese refugees they are currently accepting for resettlement.

7. Dealing with the Vietnam Problem at its Source

Policies of humane deterrence and other measures taken by countries of first asylum, as indicated earlier, will probably have but limited impact on the flow of Vietnam boat refugees. Heretofore, these refugees have not been intimidated by well-known risks of which they are fully aware. The same holds true as to the dangers which land refugees from Vietnam are prepared to face in making their way overland through Cambodia to Thailand.

It is in the interest of all parties concerned that there exist between Vietnam and other countries effective bilateral arrangements for the peaceful departure of emigrants or refugees. In the case of the United States, our primary concern is to ensure that those who seek to go to the United States and who are qualified for entry are able to depart in a safe and lawful manner.

A total of nearly 2,000 people were moved to the United States from Vietnam in 1980 and through early 1981 under the Orderly Departure Program (ODP) negotiated by the UNHCR and agreed to by Vietnam and the United States. This program, however, was in effect suspended by Vietnam in late January, 1981, and our efforts to reactivate the program have failed. Meanwhile, at great risk to their lives, refugees are still seeking to escape from Vietnam, mainly in small boats. The Panel believes that continuation of this situation is intolerable and poses severe strains on the first asylum countries.

Recently the Thai government made an appeal for orderly departure procedures from Vietnam. This appeal should be supported although it is unlikely to elicit an acceptable response from Vietnam. At best, Hanoi would be likely to continue to require other countries to receive people it does not want in return for acceptance for emigration of those in whom resettlement countries have an interest.

The UN Conference in 1979 led to a major reduction in the forced expulsion from Vietnam of ethnic Chinese. It is to be hoped that, through a similar international meeting to be called on the Vietnamese boat problem and its causes, a more normal, orderly way of dealing with departures from Vietnam can be ultimately achieved.

The Panel views this matter as one of great urgency, and hopes that the ASEAN and other concerned countries will act to promote an orderly departure process both through bilateral channels as well as through multilateral diplomacy.

8. The Impact of Indochina Policy on the Refugee Problem

The Panel does not consider it within its mandate to comment on basic United States policy towards Indochina. It was, however, repeatedly and forcibly struck by causal relationships between the political/military confrontation in the region and the generation of refugee flows. Both refugee flows and costs must be taken into account when formulating policy. Policies or actions which escalate conflict may well escalate refugee numbers.

It is evident that the Soviet Union has a major design in Southeast Asia, aligning itself for that purpose with Vietnam's expansionist designs in Indochina. This has drawn China ever more deeply into supporting Khmer resistance forces, especially the Khmer Rouge, in opposing Hanoi's occupation of Cambodia.

These developments presage rising levels of armed conflict in Cambodia, which in turn may cause:

(1) increased refugee flows, especially towards Thailand;

(2) greater difficulty in effecting voluntary repatriation to the interior of Cambodia from holding centers in Thailand; and

(3) increased need for, but greater difficulties in, delivering international relief supplies to the Cambodian people.

If the conflict escalates to the point of another direct attack on Vietnam by China, Hanoi's leaders could reinstate an organized program of massive departures of the approximately one million Sino-Vietnamese estimated to be remaining in Vietnam.

Increasing refugee flows would be even more difficult to handle than in the past and would no doubt give rise to increased tensions. If the flow of refugees from Indochina is beyond the capacity of ASEAN states to handle, or is beyond the capability of resettlement countries to absorb, the results could damage relations among the ASEAN countries and between them and other countries, including the United States.

Whatever the impact of policies and events in Cambodia on refugee flows, the central fact remains that refugees will almost certainly continue to flee Vietnam, perhaps in increased numbers, until such time as Hanoi changes its ways. While exodus from Vietnam is due in part to a worsening economic situation there and the great attraction of a better life elsewhere, more fundamentally, it derives from Hanoi's attitudes towards the Vietnamese people. Some are regarded as unwanted, like the ethnic Chinese. Others are regarded as subjugated former enemies of the Socialist Republic of Vietnam. All are regarded as subject to the will of a government bent on a radical reordering of its society.

9. Domestic Findings

The Panel is keenly aware of domestic aspects of the problem, although it did not, as a Panel, have an opportunity to study resettlement problems in the United States comprehensively. Members of the Panel did discuss domestic resettlement with officials in Washington and voluntary agency leaders and visited both impacted and other refugee resettlement areas for talks at the local level. The Panel's overall conclusion is that there is immediate need for an up-to-date comprehensive and independent study of domestic problems. These aspects of the problem should command highest priority attention.

Government and voluntary agencies appear to be successfully settling a large number of refugees quickly into productive, self-sufficient lives. There are, however, substantial and growing problems in some areas, particularly in impacted areas where refugees are concentrated.

First, there are questions about welfare benefits for refugees. Concerns have been expressed to members of the Panel about the increasing size of the refugee welfare budget, inequities in the distribution system whereunder a few refugees may receive more benefits than other welfare recipients, and the lengthening time many refugees appear to spend on welfare rolls. The Panel also found it disturbing that some refugees in Southeast Asian camps are fully aware of the U.S. welfare program, and there was evidence that, to some degree, knowledge of welfare contributed to the "magnet" effect of drawing Indochinese out of their homelands to the U.S. Clearly, there is need for a comprehensive evaluation of all these issues, including ways to increase cost effectiveness and to reduce outlays and the average length of time it takes to move a refugee to self-sufficiency.

Refugee-related problems within the United States and attendant strains on communities are magnified in areas of greatest refugee concentration and they are further exacerbated by secondary migration to these areas. Ways to encourage and maintain wide geographic distribution need to be sought.

Concerned voluntary agencies have made immeasurable and essential contributions to all aspects of domestic as well as overseas refugee programs. Not only have they served the refugees well, but they have also contributed to a sense of community by bringing thousands of Americans into close touch with Indochinese refugees. To ensure their continuing success and to make maximum use of their resources, the accountability and responsibilities of these groups need to be reviewed. At the same time, ways to utilize them as a means of reducing welfare costs might be explored.

Because of the complexity of the refugee problem, particularly the inter-action between domestic and foreign policy requirements, and the number of organizations and agencies which are involved, it is important that there exist the most effective coordination possible. The Panel believes that the United States Government should maintain the best possible means of coordination of the various aspects of our refugee programs and policies.

10. Looking Ahead

The Indochinese refugee program grew out of a special set of circumstances flowing from the United States involvement in Vietnam for more than a decade. Humanitarian considerations prompted an unparalleled response from a large number of nations and unprecedented involvement by people and private organizations the world over. Expectation that the program would be of finite duration is giving way to a realization that political considerations operative today in Indochina, and Hanoi's unremitting hostility to a large portion of its own people who resist the new order, or who are stigmatized by reasons of past associations or for ethnic considerations, will generate flows of refugees for the foreseeable future.

In the eyes of first-asylum countries and many of the resettlement nations, the United States is the ultimate guarantor to ensure that all refugees not otherwise settled or repatriated will be absorbed within our country. This is a formidable responsibility, especially if events in Indochina should produce another massive wave of refugees. The United States cannot shirk this responsibility; resolution of the problem will necessitate close cooperation with other involved nations friendly and vital to our security and basic interests in Asia on this profoundly difficult and emotionally charged issue.

The Indochinese refugee dilemma is a unique chapter in our modern history. Clearly, we and other non-communist nations cannot absorb all who seek to flee oppression. The flight of millions of people from communist rule places a heavy burden on other nations and may contribute to instability and friction among them.

This prospect absolutely requires that (a) the integrity of the definition and status of "refugee" be preserved in accordance with existing international instruments and (b) there be far greater international focus for dealing with refugee problems at the source, including arrangements for normal orderly departures of those accepted for immigration.

III. RECOMMENDATIONS

1. As long as the present political situation and governmental attitudes prevail in Vietnam, Laos and Cambodia, a substantial flow of refugees must be anticipated and

planned for in the foreseeable future. Accordingly, the United States must maintain adequate support for current programs to deal with the Indochina refugee problem, and should plan its activities on a long-term basis to ensure coherence, continuity and flexibilty in the program.

2. The United States should continue to coordinate its policies on the closest possible terms with the ASEAN and other countries of first asylum, as well as with resettlement countries, to avoid abrupt changes which would be unsettling to these countries, if not destabilizing. Consultative mechanisms amongst them should be improved.

3. The United States should continue appropriate levels of support for the UNHCR, UNICEF, ICM and all other international organizations involved in the Indochinese refugee program, as it is essential that the world community be engaged in the effort at all times.

4. In determining admissibility of Indochinese refugees to the United States, it should be presumed that all those now in refugee camps outside their country of origin, who are otherwise admissible, are refugees whithin the meaning of the Refugee Act of 1980, for the reasons stated in the above Findings. Accordingly, a case-by-case determination of refugee status on the basis of individual motivation should not be required. Persons fleeing Vietnam in the future, whether by land or boat, should continue to be presumed to be refugees within the meaning of the Refugee Act of 1980 since their voluntary repatriation for the foreseeable future is not possible. Accordingly, a case-by-case determination of refugee status should not be required as to Vietnamese fleeing their country.

5. Presumption of refugee status or persons not yet in camps who may flee in the future should be reviewed from time to time on the basis of all empirical data available to the possibility of voluntary repatriation. If significant numbers of lowland Lao, Hmong and Khmer refugees, respectively, can be repatriated voluntarily, then a case-by-case determination should be required to determine whether any individual may properly be deemed a refugee within the meaning of the Refugee Act of 1980.

6. The United States should encourage all reasonable and appropriate methods to reduce the numbers of refugees from Indochina for resettlement in third countries. In this regard, it should:

(a) support efforts by UNHCR to arrange for voluntary repatriation of the maximum number of Khmer now being held in Thailand and for measures to encourage those in the border agglomerations to return to their homes. To this end, the United States should further support arrangements being worked out by UNHCR among all parties concerned for safe land, sea and air passage from the Thai border to the interior of Cambodia and for maintenace of ongoing surveillance. Timely Khmer relief (see below) is important in promoting repatriation.

(b) support and assist UNHCR and Thai efforts for voluntary repatriation of lowland Lao, preferably to home villages, provided a safe conduct can be assured and ongoing surveillance maintained.

(c) support and encourage local resettlement in ASEAN countries of certain refugees whose presence would be acceptable to the local population, and stand ready to appropriate the funds required to aid in this effort.

(d) be prepared to continue an appropriate level of food relief and make available an adequate supply of rice seed to Cambodia in order to alleviate conditions which compel people to flee that country.

7. Voice of America and other radios heard in Indochina should take utmost care to present balanced reporting on refugee developments, including coverage of perils of escape, difficulties of refugee camp life, duration of detention before resettlement is available, problems of employment in resettlement countries and similar matters.

8. The United States should urge the Thai government to permit UNHCR monitoring of austere camps established in Thailand for the lowland Lao, and, if set up, for the Vietnamese, in order to assure compliance with internationally accepted standards of care and maintenance.

9. The United States should seek to maintain and expand international support for third-country efforts, both in terms of an equitable sharing of costs and of increasing the number of countries and areas for resettlement. This should include approaches through private channels backed by offers of funding assistance as required.

10. The United States should make every reasonable attempt, in concert with other resettlement countries and in response to Thailand's recent initiatives, to establish effective orderly

departure programs from Vietnam as the best means to minimize the flow of refugees fleeing Vietnam under hazardous conditions, looking to eventual normal, regulated immigration programs in its stead. Efforts in that direction have been unavailing and are likely to continue to be frustrated by Hanoi unless backed by concerted international action. It is accordingly hoped that the ASEAN countries will take the lead in this matter through insertion of the issue of Indochinese Refugees on the agenda of the forthcoming session of the United Nations General Assembly, looking towards Vietnam's acceptance of orderly departure programs which Vietnam would agree to respect. This issue should be addressed urgently as the present situation entails loss of life, heavy burdens for many countries supporting Vietnamese refugees, and continuing danger to the peace and stability of Southeast Asia.

11. The United States must keep in mind the refugee factor in whatever course of action it pursues with regard to Cambodia. It should also recognize that, barring the institution of an effective orderly departure program in Vietnam, refugee flows from Vietnam are likely to continue and may even increase.

12. An examination similar to the one undertaken by the Panel should now be made of major domestic resettlement issues.

13. An examination should be made of the problem of proper application of the categories for selection of refugees, as mentioned in Finding 2 above.

14. In determining the Indochina refugee admission level for FY-82, it is hoped that the consultation procedure will take the Findings and Recommendations of this report into consideration.

8/10/81

ANNEX

1. Historical Background of the Indochina Refugee Situation

While the refugee exodus from Indochina dates as far back as the French withdrawal from Vietnam in 1954, when some 60,000 Vietnamese fled to northeast Thailand, the major outflows that have in recent years focused world attention began with the fall of Saigon in April 1975 and the subsequent communist take-over of all of Indochina. The first wave of refugees in 1975 was considered primarily a United States responsibility because of our involvement in the war and close association with the Government of South Vietnam. It included some 123,000 people, mostly from Vietnam's educated and governing classes, who went to the United States. There were also sizeable numbers of Indochinese however, who found their way to Thailand (77,000), as well as to Hong Kong (9,000), Taiwan (4,000), France (4,000),Canada (2,000), Australia (1,000) and a few other countries.

The outflow subsided in 1976-77 to about 35,000 new arrivals in Thailand per year, with much smaller numbers of boat refugees throughout the region. Our program for paroling refugees into the United States declined sharply and movements of only 11,000 Indochinese refugees from Southeast Asia in 1976 and 14,000 in 1977 were authorized. As a consequence the camp populations in Thailand grew to just under 100,000 at the end of 1977.

Beginning in 1978, the newly established regimes gradually imposed policies to restructure the Indochinese societies along communist lines. Pressures increased, particularly on those associated in any way with the past regime and on Sino-Vietnamese. A new wave of refugees was generated. In the winter of 1978-79, conflict between Vietnam and Cambodia, Cambodia's invasion by Vietnam and finally China's "lesson" to Vietnam led to a mass outpouring which surged to a peak in the spring of 1979, when the rush of Vietnamese boat people alone exceeded 50,000 per month.

Finding itself faced with sharp domestic, social and political reaction to the growing number of arrivals on its shores, the Malaysian Government began pushing and even towing Vietnamese boat refugees to sea, where they were often shunted from island to island. Many died. The Sino-Vietnamese majority among the refugees presented a particularly disruptive potential problem to Malaysia because of the delicate balance between the Malay and Chinese populations. The Chinese Vietnamese made up a large majority of the exodus at this time as authorities in Hanoi pursued a discriminatory policy to rid Vietnam of this feared minority.

In the absence of international support or apparent resettlement opportunities, the Thai in June, 1979 forced some 40,000 Cambodian refugees back into Cambodia where, caught in minefields and a military cross fire, many were killed. Singapore refused to accept any refugees except in transit status throughout this period. Indonesia and Hong Kong were more receptive, but Indonesia opposed resettlement of refugees in Indonesia, and Hong Kong, already one of the most densely populated areas of the world, was prepared to take only a very small number of refugees for resettlement.

In response to this crisis, the international community, sparked to a large extent by United States concern, convened in Geneva in June 1979. For the first time, isolated by world opinion, Vietnam agreed to cease its official sponsorship of the boat refugee exodus, through which Hanoi had earned large amounts of foreign exchange by charging the fleeing refugees for boat passage, and to restrain the exodus. The overall number of boat refugees dropped precipitously, though in recent months their numbers began to increase.

Also at Geneva, a large number of nations agreed to help relieve pressures on the first asylum countries by promising third country resettlement for the great majority of refugees who could not be repatriated or settled locally and to provide funding for the temporary maintenance of those in first asylum camps and processing centers. In exchange, the ASEAN nations agreed to maintain the principle of first asylum as long as resettlement continued and to coordinate resolution of the issues involved with donors. This compact, in which the United States played a key role, has worked well for over two years.

Geneva did not spell an end to the Indochinese refugee problem. Refugees have continued to come from all three Indochinese countries.

In the fall of 1979, driven by starvation, war and the destruction of their land, hundreds of thousands of Khmer came to the Thai/Cambodian border in search of refuge and relief. Before entry into Thailand was stopped in February 1980, approximately 160,000 were placed in holding centers inside Thailand, from which almost 45,000 have subsequently been taken for resettlement in third countries, and a substantial number have been voluntarily repatriated. Large international Khmer relief efforts were mounted in the fall of 1979. Food and later rice-seed were delivered directly to

Cambodia and to the hundreds of thousands of Khmer who collected along the Thai border during 1980 and the first half of 1981. This program has gradually diminished as Cambodia has been returning to self-sufficiency, but is still ongoing, and it may be necessary to continue it into 1982.

Lao and Hmong land refugees and Vietnamese boat refugees have also continued to arrive from 1980 up to the present. The monthly average in Fiscal Year 1980 was 11.9 thousand; it has dropped slightly in the first six months of the current fiscal year to a rate of 11.3 thousand per month.

In 1980 UNHCR obtained signature to an Aide Memoire containing provisions for an Orderly Departure (ODP) to which both the United States and Vietnam agreed in November 1980. Under this arrangement the two countries exchange lists of Vietnamese each considers eligible for emigration to the United States; those on both lists qualify for the ODP. After the agreement was reached, 1,375 people were moved under the ODP in December 1980 and January 1981. Forty-five percent of these were classified as refugees; fifty-five percent were immigrants. The Vietnamese in effect instituted a moratorium in ODP at the end of January 1981 and no people have moved under the program since. Reasons for the moratorium are not clear; however, Vietnamese authorities have indicated they wish to further limit direct involvement by U.S. officials in the selection and processing of these people. However, even had the ODP continued to operate, it would have had limited impact on the refugee outflow in view of the few names appearing on both the US and Vietnam lists. The system needs a complete overhaul.

2. Indochinese Refugee Flows

A. The Numbers

-- Since the end of the Vietnam war in 1975, there have been a total of 1.4 million refugees who have come by boat and land from Vietnam and across Thailand's borders from Cambodia and Laos. While the world's attention has focussed largely on the dramatic plight of the 500,000 Vietnamese boat refugees who have safely reached ASEAN shores (plus 263,000 Vietnamese who went to China), 272,000 refugees have come from Laos and 210,000 from Cambodia, not including the half million or more Khmer who at one point were confined to the UNHCR controlled encampments along the Thai/Khmer border.

-- 1,060,000 Indochinese refugees have been resettled outside Southeast Asia since 1975 of which 504,000 have been resettled in the U.S. and 555,000 in other countries.

-- 320,000 Indochinese refugees currently remain in UNHCR first asylum camps and Refugee Processing Centers (RPCs) in Southeast Asia, most of whom seek to enter the resettlement stream. Many, however, including almost all the 55,000 Hmong, wish for now to remain in Thailand and a number, especially some of the 45,000 Lao, may voluntarily repatriate to Laos.

-- Of the 320,000 now in camps, 95,000 Khmer refugees are in UNHCR holding centers, some of whom seek to enter the resettlement stream, but significant numbers of whom may voluntarily repatriate to Cambodia.

-- 24,000 Indochinese refugees are in the Refugee Processing Centers in the Philippines and Indonesia receiving training and orientation prior to going to their resettlement countries.

-- The trend of the current flow is down more than 20% overall. 89,000 Lao, Hmong and Vietnamese refugees fled the Indochinese states during the first half of CY 1980, seeking new homelands, whereas 70,000 fled during the first six months of CY 81. Lao and Hmong flows are distinctly down -- the Lao rate is a third of last year's and the Hmong rate is one fifth -- and no Khmer have come into the holding centers since mid 1980. The boat flow is up by almost a third over last year however, at 8,400 per month.

-- In FY 1981, the President, in consultation with the Congress, authorized under the Refugee Act of 1980 the admission to the US of up to 168,000 Indochinese refugees, an average of 14,000 refugees monthly. (Admissions in FY 1980 totalled 168,0000.) So far, admissions in FY 1981 have totalled, as of the end of June, 88,000, a monthly average of 10,000 refugees.

-- Broken down by first asylum countries the refugee population and flow at the time of the Panel's visit was as follows:

Thailand: There are currently 247,000 Lao, Hmong, Khmer and Vietnamese in Thai refugee camps, including the 95,000 Khmer in UNHCR holding centers. Thailand has received and continues to receive the greatest number of refugees -- 3,300 by land from Laos, a negligible number from Camdodia, and 2,500 Vietnamese boat people per month for the first six months of 1981. About 10,400 per month are being resettled, so there continues to be a decline in camp populations.

Malaysia: From a peak of almost 80,000 in its camp population, Malaysia is down to 15,600 Vietnamese boat refugees today. The current inflow is up, however, to 2,600 per month the first half of this year, compared to 1,600 per month in the first six months of 1980. The outflow to third country resettlement is averaging over 2,000 per month. As a result of these trends, there has been a build-up in the Malaysian camps in recent months.

Singapore: There are 3,400 boat refugees in Singapore's transit camp with an average length of stay of three months. 650 refugees are arriving each month.

Indonesia: There are 5,500 boat refugees in first asylum camps in Indonesia, down from the 1979 peak of 50,000, with 6,500 Indochinese in the Refugee Processing Center at Galang who have U.S. and German resettlement offers. First asylum arrivals averaged 884 per month the first six months of this year, far less than the rates of up to 15,000 per month two years ago. The outflow rate was 890 per month, thus the population continues to decline.

Hong Kong/Macau: 15,000 Vietnamese boat refugees remain in Hong Kong and 1,700 in Macau, with 650 currently arriving in Hong Kong per month and 50 per month in Macau this year. Monthly departure rates the first six months of this year for Hong Kong and Macau were 2,100 and 51 respectively.

Philippines: There were 5,200 Vietnamese boat people at the end of June 1981 at the first asylum camp in Palawan. New arrivals are running at 660 per month and departures 460 per month. The RPC on Bataan had 17,000 at the time of the Panel's visit with current monthly arrivals and departures averaging 2,700 and 2,300 respectively.

-- Year End Refugee Populations for the East Asian Region as a Whole

1975	66,122
1976	77,502
1977	103,839
1978	202,828
1979	399,821
1980	308,564
End June 1981	297,147 plus RPC 24,063

B. What the Numbers Mean and the Outlook

In a few words, the numbers above represent a remarkable worldwide response and a substantial turnaround of the critical problem faced two years ago. Over three quarters of the 1.4 million who fled have been resettled. Moreover, if one assumes that as many as half of the current East Asian refugee population wants to repatriate or stay for the time being where they are, it seems quite possible that the current third country resettlement pool is between 150,000 and 200,000 people.

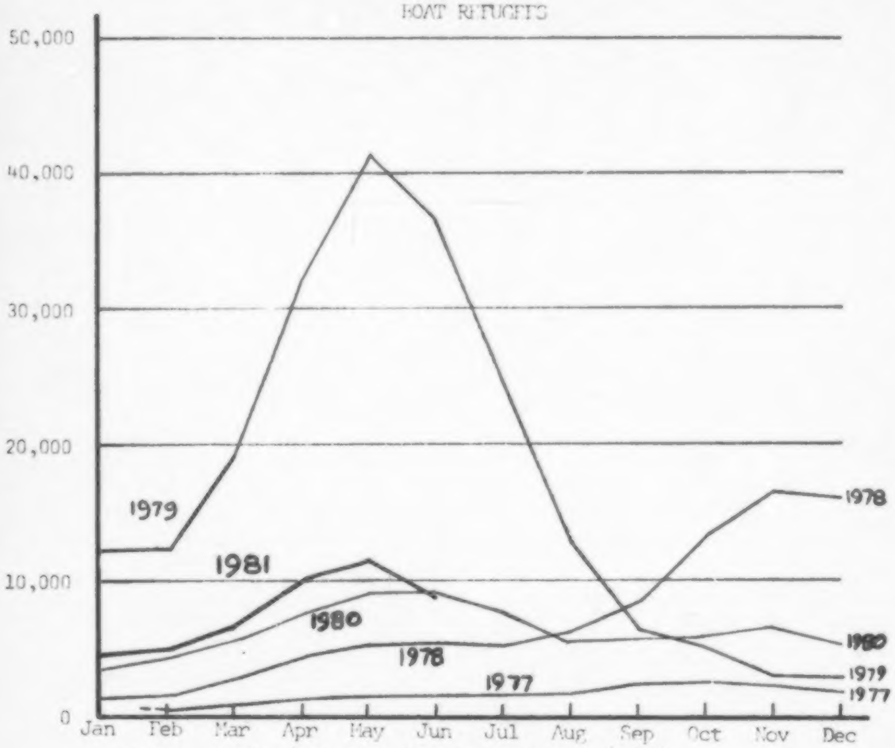
If the existing resettlement pool were all that had to be dealt with, there would be no real continuing problem. The best U.S. Government estimates available to the Panel of the outlook, however, based on past trends and current data, is that there will be between 100,000 and 135,000 new arrivals in 1981, compared to 160,000 in 1980; in other words, the figure will be down but still substantial. In 1982, 100,000 more refugees is not unlikely. Moreover, as indicated, the trend for the most difficult aspect of the problem, the boat refugee arrivals, is currently up, following an annual trend established since 1977, if the surge year of 1979 is excepted. Barring the unforeseen, seventy-five to a hundred thousand Vietnamese boat refugees could come in 1981.

On the other hand, the land arrivals, most of whom come from Laos and seek asylum in Thailand, are well below past levels and are likely to remain there due to a stiffening of Thai refugee policy and a shrinking of the pool of potential Hmong refugees.

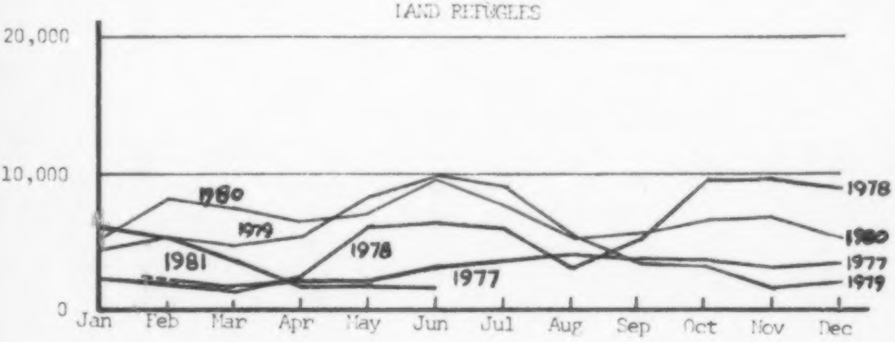
Past trends for the region as a whole and a future projection of the problem in the key country of Thailand are depicted in the first two charts attached. The charts on the future Thai camp population assumes an off-take rate of 114,000 by the end of FY 1982. The three additional charts describe total arrivals and departures of refugees from 1975 to the end of June, 1981 and current Southeast Asian refugee camp populations.

While these charts project decreasing flows of refugees and their numbers in camps in Southeast Asia, it must be borne in mind that political or military upheavals, serious food shortages or other catastrophes, all quite possible in the volatile atmosphere created by Hanoi, could upset all calculations by generating a revival of massive outflows of Indochinese refugees.

INDOCHINESE REFUGEES ARRIVING IN SOUTHEAST ASIAN COUNTRIES (Three-month Rolling Averages, 1977-80)



Source: National Foreign Assessment Center (NFAC)



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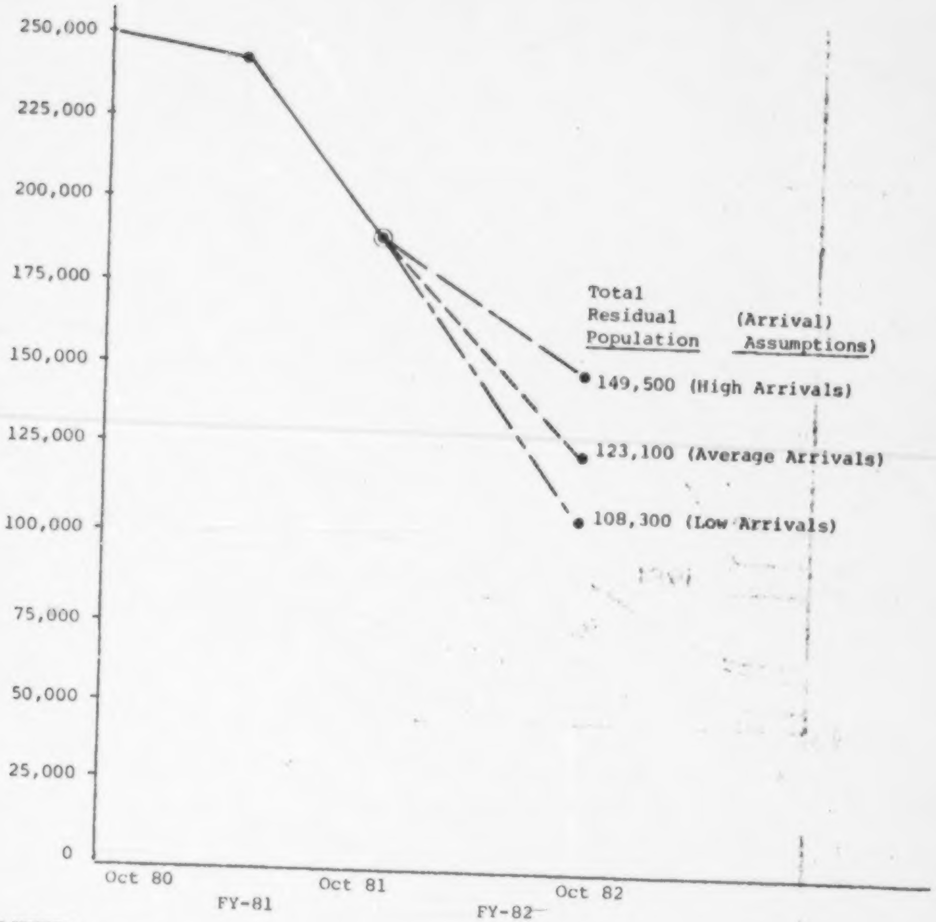
RESIDUAL POPULATION, THAILAND

Present refugee population in Thailand - 247,416



PROJECTED POPULATION 1 OCT 1981	RATE	ARRIVALS ETHNIC					DEPARTURES		RESIDUAL
		LAO	HIGH-LANDER	KHMER	VIETS	TOTAL	U.S.	OTHERS	
187,400	HIGH	30,000	10,000	0	36,000	76,000	96,500	17,400	149,500
187,400	AVERAGE	18,000	7,200	0	24,400	49,600	96,500	17,400	123,100
187,400	LOW	12,000	3,600	0	19,000	34,800	96,800	17,400	108,300

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INDOCHINESE REFUGEE ACTIVITY
APRIL 1975 THRU JUNE 1981

As of: JUNE 30, 1981

COUNTRIES OF ASYLUM/RPC'S	TOTAL ADDITIONS SINCE 4/75 (+)		TOTAL REDUCTIONS SINCE 4/75(-)					THIS MONTH'S POPULATION
	ARRIVALS	OTHER	TO U.S.	3RD COUNTRIES	VOL REPATRIATION	OTHER	RPC'S	
HONG KONG	101,569	891	39;752	43,035	0	146	4,674	14,853
MACAU	7,099	57	1,915	2,328	0	549	788	1,576
INDONESIA	66,218	33	37,626	22,974	0	4	106	5,541
JAPAN	4,999	19	2,414	972	0	0	0	1,632
MALAYSIA	158,748	109	78,649	60,677	0	9	4,000	15,522
PHILIPPINES	21,524	16	7,909	5,463	0	3	2,929	5,236
SINGAPORE	23,832	2	4,363	13,845	1	0	2,177	3,448
THAILAND	62,590	0	21,853	14,779	0	0	11,852	14,106
OTHER	31,472	5	2,632	28,434	0	0	0	411
o TOTAL BOAT	478,051	1,132	197,113	192,507	1	711	26,526	62,325
THAILAND - KHMER	211,648	0	29,891	33,281	0	0	18,561	129,915
THAILAND - HMONG	123,267	0	47,790	19,469	18	0	77	55,913
THAILAND - LAO	145,000(A)	0	61,737	26,729	245		11,469	44,793(A)
THAILAND - VIETNAMESE	21,370(B)	0	7,013	8,709	0	0	3,381	4,201(B)
o TOTAL LAND	501,285	0	146,431	88,188	263	0	33,515	234,822
ORDERLY DEPARTURE PROGRAM	3,230	0	2,341	875	0	14	0	
VIET NAM TO U.S. IN 1975	124,547	0	123,000	0	1,547(C)	0	0	0
VIET NAM TO CHINA IN 1975	263,000	0	0	263,000	0	0	0	0
o TOTAL DIRECT	390,777	0	125,341	263,875	1,547(C)	0	14	0
BATAAN-RPC	44,556	440	27,200	637	0	11		17,148
GALANG-RPC	15,677	115	7,821	972	0	2	82	6,915
o TOTAL RPC'S	60,233	555	35,021	1,609	0	13	82	24,063
o GRAND TOTAL	1,370,113	1,687	503,906	546,179	1,811	724	60,137	321,210

* RPC arrivals are not added down into arrival Grand Total because it would result in double addition.

** Departures to RPC's are not subtracted across Grand Total line because it would result in double subtraction.

(A) Thai Ministry of Interior census at Nong Khai camp reduced its population by 1,022 Lao refugees who had left camp earlier, but who had not been removed from camp rolls. Actually about 1,600 new Lao refugees entered the UNHCR/MOI camp system during June 1981 and are destined for the Nakhom Phanom holding center.

(B) This is UNHCR mathematically derived figure. No land Vietnamese have been permitted to enter camp NW-9 on the Thai-Kampuchean border for the last two months. These are the UNHCR's revised estimates on the total number of land Vietnamese refugees in camp and increased its total number of land Vietnamese already in the centers by 2,378.

(C) All returned from Guam in 1975 on ship "Thuongh Tin I" to Vietnam; several dozens have since fled Vietnam by boat beginning in early 1979.

DEPARTURES TO U. S. AND THIRD COUNTRIES
APRIL 1975 TO END OF REPORT MONTH

As of: June 30, 1981

FROM TO	HONG KONG	INDONESIA	JAPAN	MACAU	MALAYSIA	PHILLIPINES	SINGAPORE	THAILAND (BOAT)	THAILAND (LAND)	OTHER (A)	DIRECT (B) DEPARTURES	RPC'S	TOTAL
ARGENTINA	29	2	0	0	0	0	1	0	1,242	7	0	0	1,281
AUSTRALIA	2,296	8,540	212	166	22,620	981	1,441	4,702	8,459	3,616	178	46	53,257
BELGIUM	155	175	62	0	467	29	231	56	1,736	842	631	4	4,388
CANADA	13,216	8,697	200	1,446	20,748	1,886	690	4,426	17,138	7,325	751	14	76,537
CHINA	34	0	0	0	2	0	0	5	2,547	0	263,000	0	265,588
DENMARK	617	158	8	61	354	46	375	237	16	199	3	7	2,081
FRANCE	807	1,085	46	3	4,182	707	1,879	2,255	49,165	12,945	2,904	25	76,003
FRG	2,241	2,275	16	12	3,868	459	2,493	1,071	3,638	574	891	1,267	18,805
ITALY	111	27	0	0	771	6	1,006	149	631	177	91	0	2,969
NETHERLANDS	396	42	25	0	1,316	265	1,462	173	142	155	276	4	4,256
NEW ZEALAND	272	413	2	0	1,312	158	18	260	1,136	261	23	15	3,870
NORWAY	325	34	161	5	95	94	1,269	333	92	0	1	216	2,625
SWEDEN	105	731	0	289	1,148	4	4	1	1	0	18	2	2,303
SWITZERLAND	545	542	53	94	2,459	182	1,636	292	1,945	761	196	3	8,708
UK	11,562	46	84	111	341	238	526	601	455	1,027	123	5	15,119
OTHER	10,324	200	103	141	993	408	551	206	3,667	545	397	1	17,536
TOTAL 3RD CTRY	43,035	22,967	972	2,328	60,676	5,463	13,582	14,767	92,010	28,434	269,483	1,609	555,326
TOTAL U.S.	39,752	37,626	2,414	1,915	78,649	7,909	4,363	21,853	146,431	2,632	125,341	35,021	503,906
GRAND TOTAL	82,787	60,593	3,386	4,243	139,325	13,372	17,945	36,620	238,441	31,066	394,824	36,630	1,059,232

Note: "Other country" departures do not include 5,000 locally settled in Hong Kong between 1975 and late 1978, who were moved from Vietnam to HKG by "semi-direct departure". "Other country" also excludes about 5,000 Muslims from Kampuchea, moved from camps in Thailand to settle in Malaysia, about 2,000 in 1975-76 and 3,000 in 1980-81; "other country departures" further excludes about 4,000 ethnic Chinese moved from Vietnam by ICRC for local settlement in Taiwan.

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REFUGEE CAMP POPULATION

As of June 30, 1981

THAILAND: 234,135 Land Refugees + 13,281 Boat Refugees = 247,416 Refugees in Country.

Highlander
(Camps include some Lao Refugees)

- Chiang Khong	5,079
- Chiang Kham	3,753
- Ban Nam Yao	9,884
- Sob Thuang	8,114
- Ban Vinai	31,077
	57,907

Land Vietnamese

- Sikhiu	622
- NW-9	94
	716

Lao

- Nong Khai	16,488
- Ubon	17,968
	34,456

Lao Holding Center

- Nakhon Phanom	1,764
- Nong Khai for transfer to Nakhon Phanom	4,556
	6,320

Khmer

- Surin	3,106
- Aranyaprathet	---
- Phanat Nikhom	13,573
- Mairut II	15,857
	32,536

Boat Vietnamese

- Songkhla	5,597
- Laem Sing	637
- Phanat Nikhom	5,587
	11,821

New Khmer In Holding Centers

- Kap Cherng	6,480
- Khao I Dang	42,966
- Sao Keo	29,072
- Kamput	13,043
- Mairut I	3,373
	94,934

Transit Centers

- Land Refugees	7,266
- Boat Refugees	1,460
	8,726

MALAYSIA

- Pulau Bidong	11,986
- KL Transit Center	3,658
	15,644

SINGAPORE	3,266
HONG KONG	14,983
MACAU	1,608

INDONESIA

- Sedanau	33
- Ranai	17
- Terempa	83
- Kuku	813
- Galang	4,586
	5,532
- Galang RPC	6,549

TAIWAN	271

PHILIPPINES

- Palawan	5,231
- Bataan RPC	17,149

JAPAN	1,633
KOREA	159

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INDOCHINESE REFUGEES IN THAILAND

(A Report prepared by the United Nations High Commissioner for Refugees June 1981)

INTRODUCTION TO THE ROLE AND ACTIVITIES OF UNHCR

Established by the General Assembly of the United Nations as of 1 January 1951, the Office of the United Nations High Commissioner for Refugees (UNHCR) has two main functions: international protection, and the promotion of durable solutions to the problem of refugees. A refugee is defined as a person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, unwilling to avail himself of the protection of that country. Pursuant to relevant resolutions of the General Assembly, the High Commissioner also undertakes special humanitarian tasks for which the Office has particular expertise. Many of those assisted by these "Special Programmes" are uprooted persons who have been displaced within their own countries. UNHCR was awarded the Nobel Peace Prize for 1954.

The High Commissioner is elected by the General Assembly of the United Nations on the nomination of the Secretary-General. The present High Commissioner is Mr. Poul Hartling (Denmark), elected for a five-year term on 8 December 1977. Mr. Hartling was Minister for Foreign Affairs of Denmark from 1968 to 1971, and Prime Minister from 1973 to 1975.

The High Commissioner reports to the General Assembly through the Economic and Social Council, and receives guidance from an Executive Committee established by the General Assembly and comprising 40 States.

One of the Executive Committee's main tasks at its annual session is to approve the material assistance programmes for the next calendar year and to set the financial target needed to implement them. The Executive Committee also reviews the use of the Emergency Fund, and the administration of special Trust Funds, and advises the High Commissioner, at his request, in the exercise of his functions under the Statute of his Office.

UNHCR's mandate comes up for renewal by the General Assembly every five years. The recent renewal extended the Office to the end of 1983.

There are over 1,200 on UNHCR's staff, at Headquarters in Geneva and in 60 field offices all over the world.

INTERNATIONAL PROTECTION

The basic function of the Office as defined by the Statute is to extend international protection to refugees, who by definition do not enjoy the protection of their former home country.

In the exercise of its international protection function, UNHCR seeks to ensure that refugees receive asylum and are granted a favourable legal status in countries of asylum. An essential element of this legal status is the safeguard provided by the generally accepted principle of non-refoulement, which prohibits expulsion or forcible return of a person to a country where he may have reason to fear persecution. UNHCR also seeks to ensure that refugees are identified as such, so as to enable them to take advantage of the standards established for their treatment in international instruments or under national law.

The legal status of refugees has been defined more particularly in two international instruments adopted on the universal level, namely the United Nations 1951 Convention and 1967 Protocol relating to the Status of Refugees. These instruments define the rights and duties of refugees and contain provisions dealing with a variety of matters in the day-to-day life of the refugee, e.g. the right to work, public assistance, and social security. In regard to many of these matters, refugees are to receive the same treatment as nationals of their country of residence. The Convention and the Protocol also give expression to the above-mentioned principle of non-refoulement. As of May 1980, 82 States had become parties to the Convention and/or the Protocol.

In extending international protection to refugees, UNHCR, under the terms of the Statute (General Assembly Resolution 428(v) of 14 December 1950) also seeks to facilitate their voluntary repatriation in cases where this is a feasible solution. UNHCR also seeks to promote the reunification of separated refugee families, either in the refugee's country of origin, through voluntary repatriation, or in the refugee's country of asylum. Where a refugee has established himself in a country of first asylum or in a country of resettlement, the Office seeks to promote his acquisition of that country's nationality so that he finally ceases to be a refugee.

The fulfilment of UNHCR's protection task is greatly assisted in the case of those States that have become parties to these instruments, which specifically require contracting States to co-operate with the Office of the High Commissioner in the exercise of its functions and in particular to facilitate its duty of supervising the application of the provisions of these instruments.

Besides seeking to ensure that refugees are treated in accordance with accepted international standards, UNHCR is called upon to play a role in the development of these standards. Thus, UNHCR took an active part in the work leading to the adoption of the 1951 Convention and the 1967 Protocol, and has also promoted the adoption of other international instruments for the benefit of refugees on the universal and regional levels, and the inclusion of provisions favourable to refugees in instruments not dealing specifically with refugee matters.

MATERIAL ASSISTANCE

International protection is essential, but alone it is often not enough to enable a refugee or displaced person to achieve a durable solution to his problems, whether it be through voluntary repatriation, local settlement in the country of first asylum, or migration to another country. Neither the country of first asylum, which has primary responsibility for assistance, nor the voluntary agencies may be in a position to provide the funds needed to finance all such measures. In these cases, upon a request from a government, UNHCR applies available funds to projects that are designed to supplement the assistance being given by the government and other sources. Thus, UNHCR normally provides only part of the financing for a given project, but often this contribution has a catalytic effect, serving to mobilize support on a much larger scale.

Material assistance measures vary widely according to need. Integration through rural settlement is in general the best solution for refugees of rural background who cannot hope to repatriate for some time. This includes the building or improvement of access roads, assistance in agriculture, stock-rearing and fishing, construction of classrooms, dispensaries and community centres, the provision of tools and household utensils, equipment for cottage industries and assistance in the creation of co-operatives. It may also include educational grants to young people of secondary school age to enable them to continue their interrupted schooling, or provide them with vocational training.

Assistance in voluntary repatriation may involve a large-scale transportation and settlement operation, or may simply entail the payment of travel expenses for individuals. Resettlement of refugees from Latin America, or large numbers of Indo-Chinese refugees and, a few years ago, of Asians of undetermined nationality obliged to leave Uganda, are examples of instances where UNHCR's role has been to negotiate with governments to encourage the admission of refugees or displaced persons, and often to finance the movement of those accepted. UNHCR has for many years helped to organize special resettlement schemes for handicapped refugees who could not qualify under normal immigration criteria because of physical or social handicaps.

Family reunion is an essential activity to enable families separated by circumstances beyond their control to make a new life together again. Finally, counselling plays an important role in helping individual refugees to find the most appropriate solution to their problems.

In 1979, UNHCR obligated a total of US$270 million for General and Special Programmes of assistance, which were mainly implemented by governmental bodies or other organizations. In the twenty-nine years of its existence, it is estimated that some 25 million persons have been assisted by UNHCR.

Although UNHCR's material assistance is directed above all at promoting durable solutions, the Office is often called upon to provide immediate relief assistance in the initial phase of a new refugee problem. The High Commissioner is authorized to allocate up to US$2 million per year from his Emergency Fund to meet unexpected developments in refugee situations.

UNHCR ASSISTANCE IN THAILAND

General Programme

UNHCR started to coordinate assistance activities on behalf of displaced Kampucheans, Laotians and Vietnamese in Thailand in September 1975, at the request of the Royal Thai Government. By the end of the year, more than 74,000 persons had arrived from Indochina by boat and by land, in 1976 and 1977 some 70,000 more followed them and were accommodated in a long string of UNHCR-assisted camps stretching along Thailand's borders and coastline.

Historically, neighbouring countries have by and large provided refugees with asylum and opportunities for local integration. The huge numbers fleeing Indochina however created an emergency situation for Thailand and other countries in the region rendering resettlement in third countries a necessary solution.

As a result, UNHCR launched a world-wide quest for resettlement opportunities for Indochinese refugees. So generous was the response of the international community that more than 50,000 were resettled from Thailand alone by the end of 1977.

In 1978, the rate of arrivals from Indochina grew dramatically and further increased to exceptionally high levels in the first half of 1979. The High Commissioner kept governments continuously informed of the gravity of the situation and the need to find durable solutions for escalating numbers of Indochinese refugees all over South-East Asia. Needs however, continued to outstrip available solutions.

On 20–21 July 1979, a Meeting on Refugees and Displaced Persons in Southeast Asia attended by the representatives of 65 countries was held in Geneva to articulate a response to the growing crisis. At the end of the Meeting, resettlement opportunities for some 260,000 persons had been secured for the one year period extending to 30 June 1980. More than twenty countries offered to welcome Indochinese refugees either by increasing their admissions' quota or for the very first time. Particularly heartening was the response of countries who accepted refugees even though they could not bear the inherent financial burden alone. UNHCR makes grants to such countries in order to make use of their generosity.

Several countries also agreed to render signal service to Indochinese refugees by accepting them for resettlement in situations of great urgency, or by providing resettlement guarantees after a ship carrying their flag had rescued persons in distress on the high seas.

By 31 May 1981, more than 310.878 persons had left Thailand to permanent resettlement abroad, 212,181 of them since the Geneva Meeting one year before. Where other sources of financing are not available, UNHCR channeling funds through the Intergovernmental Committee for Migration (ICM), covers the cost of transporting refugees to their new homes.

UNHCR finances the care and maintenance of displaced persons in Thailand while they await completion of resettlement processing. Between September 1975 and December 1980. UNHCR funneled some US$66 million to Thailand for this purpose. UNHCR material assistance activities include the provision of food, water, shelter, fuel, household utensils and the extension of medical, social and educational services. For 1981, a budget of US$21 million has been approved by the Executive Committee.

Special Programme for Kampucheans

As concerned governments and voluntary agencies, in cooperation with UNHCR. were coming to grips with the crisis, a new, even more alarming problem emerged in 1979 when the combination of war and famine led hundreds of thousands of Kampucheans to seek succour in Thailand or in camps straddling the border.

On 1 November 1979, the Royal Thai Government requested UNHCR to draw up and secure financing for a programme designed to meet the essential needs of new Kampuchean arrivals in Thailand.

In response, UNHCR agreed to finance a programme valued at some US$81 million for the period 1 November 1979 to December 1980. This programme underwrites the costs connected with the establishment of six holding centres to accommodate the new arrivals and provide them with essential goods and services pending more durable solutions. Financed under this programme are site preparation, the construction of shelter, warehouses, communal and sanitation facilities, the provision of water, food (in cooperation with the World Food Programme), household supplies, transportation, education and medical services as well as a special project for the benefit of unaccompanied children. UNHCR funds are in fact budgeted to cover all expenditures in the holding centres except for security, administration and the purchase of land which can be met by funds made available to the Royal Thai Government on a bilateral basis. Very substantial sums have also been spent in the centres by the International Committee of the Red Cross (ICRC) and a number of voluntary agencies.

Kampuchean Programme for 1981

During 1981, care and maintenance will be the focal themes for UNHCR assistance to Kampuchean refugees in Thailand. This emphasis contrasts with the efforts of 1980 which concentrated on construction and the provision of basic necessities in the six holding centres. Relief assistance, of course, is only the short-term goal; in 1981 UNHCR will promote, to the extent of its influence, lasting solutions to the refugee problem. At the same time, the assistance given refugees in eastern Thailand will attempt to bring tangible benefits to Thai residents of the affected area.

Coordination with the Royal Thai Government

UNHCR programmes are established in consultation with the Royal Thai Government. Overall administrative control of Displaced Persons Centres rests with the Operations Centre for Displaced Persons of the Ministry of Interior while the Joint Operations Centres, Supreme Command is responsible for the Holding Centre for Kampucheans. UNHCR Field Officers monitor the implementation of UNHCR programmes in the Centres and provides liaison with provincial and local authorities.

Visitors

Authorization to visit Displaced Persons Centres must be sought in advance from the Operations Centre for Displaced Persons, Ministry of Interior while permission to visit Holding Centres for Kampucheans is to be obtained from the Joint Operations Centre, Supreme Command.

Recent developments

As of early 1981, refugees in Thailand were sheltered in Displaced Persons Centres or Holding Centres stretching from Chiang Khong in the North to Songkhla in the South or, for those undergoing the final stages of processing for resettlement abroad, in one of the Transit Centres in Bangkok, or in Panat Nikhom. Various developments have since then taken place:

As of 1 January 1981, the Nakhon Phanom Holding Centre was established to receive new arrivals from Laos.

Resettlement movements involving over 30,000 Khmer refugees from holding centres took place between 7 March and 1 May to Mairut and Panat Nikhom, both of which are functioning as processing centres.

The first official census in Khao I Dang took place on 9 April 1981.

Between 9–10 May the remaining 1,700 Khmers were moved from the old Kamput camp to the Kamput Holding Centre and the old camp was subsequently closed.

The Buriram Displaced Persons Centre which previously served as a processing centre for Khmer refugees and recently as a transit centre for Laotian returnees was closed on 24 April 1981.

The Displaced Persons Centre at Aranyaprathet will either be phased out or have its function redefined.

HOLDING CENTRES FOR KAMPUCHEANS

KHAO I DANG

Situated in Prachinburi Province some 10 kilometres north of the town of Aranyaprathet, the Khao I Dang Centre was opened on 21 November 1979 when a first group of 4,873 Kampucheans was brought to it from the Thai-Kampuchean border by the Royal Thai Army. Site preparation involving land clearance, grading for roads and construction and the establishment of basic sanitation facilities had been carried out over the previous four days. Arrivals thereafter took place on a regular basis until early February 1980 when Khao I Dang reached a population of 112,000. A slower influx in the following weeks pushed the figure up to 127,963 by 30 June.

Shelter at Khao I Dang consisting of thatch and bamboo longhouses was constructed by the Kampucheans themselves with materials made available to them by UNHCR. Household goods such as blankets, sleeping mats, mosquito nets, soap, footwear and kitchen utensils were also issued to each family upon arrivals. Basic food rations are distributed weekly through a system of community representatives.

In Khao I Dang, as in other Holding Centres for Kampucheans, special attention has been paid to the educational needs of the populations. Eight schools provide primary education to some 20,000 children between the ages of 6 and 15 years most of whom had received little or no education before. The aim of the programme is to provide students with basic literacy and numerical skills. A small pre-school programme for 3 to 5 year-olds was initiated in April 1980. Its preliminary purpose is to train Khmer staff in pre-school education techniques and expand the programme to cover the whole of Khao I Dang by the fall of 1980. A nurse-training programme was launched in March 1980 under the direction of three Khmer doctors and a chemist. As of September 1980, more than 120 students had either completed a course designed to provide basic knowledge and experience of health care or were currently enrolled.

In addition to formal education, non-formal programmes focusing on culture and the acts, handicrafts, music and dance, sports and recreation are operating in Khao I Dang. Books in Khmer and Thai language are available in a mobile library unit permanently stationed in the camp.

Difficulties have been experienced in supplying the camp population with sufficient quantities of drinking water. The search for underground sources proved protracted and up to 100 trucks have been hired to haul water each day from a distance of 55 kilometres. Drilling teams have recently been more successful and it is anticipated that water for up to 60,000 persons will soon be available locally.

In anticipation of the monsoon rains, more durable housing has been prepared for some 60,000 persons. A bed of laterite was laid over sections of the camp and thatch and bamboo dwellings with raised floors. As of 31 May 1981 the population of Khao I Dang stood at 43,941.

UNHCR material assistance activities at Khao I Dang include site preparation, the provision of food, water, shelter, fuel and household equipment and the extension of medical, social and education services.

Numerous voluntary agencies provide additional goods and services to the camp population including:

Health: International Rescue Committee (IRC), Medecins Sans Frontieres (MSF), Malteser Hilfsdienst Auslandsdienst (MHD), Community-Based Emergency Relief Services (CBERS), Enfants Sans Frontieres (SOS), Christian Relief Service (CRS), CONCERN.

Sanitation: Community-Based Emergency Relief Services (CBERS), IRC.

Education: IRC, CONCERN, Caring for Young Refugees (CFYR), Christian Outreach (COR), CBERS, Youth with a Mission (YWAM).

Other Services: CARE, CONCERN, Catholic Relief Services (CRS), Christian Outreach (COR), IRC, CBERS, Youth with a Mission (YWAM).

SAKAEO AND BAN KAENG

The Sakaeo Holding Centre began operating on 24 October 1979 when a first group of Kampucheans, most of them ill and severely malnourished, were brought by the Royal Thai Army from the Thai-Kampuchean border to a site located some 16 kilometres from the town of Sakaeo in Prachinburi Province. Within 7 days, 28,000 had arrived to what had formerly been 40 acres of rice paddies and emergency reception facilities had to be built around them. The condition of most new arrivals was such that an appallingly high death rate was registered during the first days of the crisis. It dropped permanently to single digit figures in late November.

Drinking water sources were found in abundance around the camp but the low-lying flat nature of the site provided very poor drainage creating serious problems after each heavy rainstorm. Under these circumstances it was decided that Sakaeo I, as it came to be known, would only be used temporarily.

Some 3,500 persons were transferred from Sakaeo to camps at Mai Rut and Surin in January 1980 bringing its population down to 24,500.

This figure remained constant until late June 1980 when 7,410 persons voluntarily returned to Kampucheo. The remaining population was then moved to other centres for Kampucheans in Thailand and Sakaeo I was closed on 18 July 1980.

One of the centres to which the Sakaeo I population was transferred is situated 6 kilometres to the East and has been named Ban Kaeng.

Built on an elevated and well drained site, Ban Kaeng has a capacity of 36,000 persons. Shelter consists of durable wood and corrugated iron structures laid out in quadrangular clusters each possessing a water reservoir, a row of aquaprivies and a recreation area. As of 31 May 1981 the population of Ban Kaeng stood at 29,963.

UNHCR material assistance activities at Ban Kaeng include the provision of food, water, shelter, fuel, household equipment and the extension of medical, social and educational services.

Numerous voluntary agencies provide additional goods and services including:

Health: World Relief, World Concern, Community-Based Emergency Relief Services (CBERS), World Vision Foundation of Thailand (WVFT), Japanese Medical Teams, Save the Children Fund (SCF), International Committee of the Red Cross (ICRC).

Sanitation: International Rescue Committee (IRC).

Education: IRC, Japanese Sotoshu Relief Committee (JSRC/JVA), WVFT, SCF.

Skills Development: WVFT, CBERS, SCF, IRC, JSRC, FHI, Comite European d'aide au Refugies (CEAR).

Other Services: Food for the Hungry International (FHI), IRC.

KAMPUT

The Kamput Holding Centre for Kampucheans is located in a densely forested area of Chantaburi Province, some 15 kilometers from the Thai-Kampuchean border. It is adjacent to a camp for displaced Kampucheans first opened in 1976. Built to a capacity of 20,000 persons, Kamput harboured a population of 13,027 as of May 31, 1981.

Housing at Kamput consists of durable structures built of concrete, wood, asbestos and corrugated iron. Buildings are layed out to form quadrangular clusters, each featuring its own water tanks, aquaprivies and recreation area.

UNHCR assistance activities at Kamput include site preparation, the provision of food, water, shelter, fuel and household equipment and the extension of medical, social and educational services.

Several voluntary agencies provide additional goods and services to the camp population including:

Health: Thai Red Cross (TRC), Thailand Baptist Mission (TBM), Seventh Day Adventist World Service (SAWS), International Committee of the Red Cross (ICRC).

Sanitation: TBM, International Rescue Committee (IRC).

Education: Redd Barna Norway (RBN), CONCERN, TBM, The Ockenden Venture (TOV).

Skill Development: CONCERN, RBN, The Ockenden Venture, Thailand Baptist Missionary Fellowship (TBMF), Comite European d'aide au Refugies (CEAR).

Other Service: CARE, CONCERN, Holt Sahathai, TOV, TBM, RBN.

MAI RUT

Mai Rut Holding Centre is situated in Trat Province, 14 kilometres North of the district town of Klong Yai. It is built on a flat and sandy site at a distance of 2 kilometres both from the Gulf of Thailand and from the Thai-Kampuchean border.

Displaced Kampucheans were first accommodated in Mai Rut in July 1975. The camp was transformed into a Holding Centre under the authority of the Supreme Command on 1 June 1980. Mai Rut has been designated as one of six such Holding Centres and durable facilities have been constructed for a population of up to 20,000 persons. As of 31 May 1981 the population at Mai Rut stood at 20,328.

The search for underground water sources at Mai Rut has not yielded satisfactory results. As an alternative, a dam and reservoir are being built to collect water running down the slopes of the mountain range forming the Thai-Kampuchean border nearby.

UNHCR material assistance activities at Mai Rut include site preparation, the provision of food, water, shelter, fuel and household equipment and the extension of medical, social and educational services.

Several voluntary agencies provide additional goods and services to the camp population including:

Health: Medecins Sans Frontieres (MSF), Catholic Office Emergency Relief and Refugees (COERR), Malteser-Hilfsdienst Auslandsdienst E. V. (MHD).

Sanitation: International Rescue Committee (IRC).

Education: CONCERN, COERR, Thai-Chinese Refugee Service (TCRS), Save the Children Fund (SCF).

Skills Development: CONCERN, COERR, TCRS, Thai Baptist Mission (TBM).

Other Services: CONCERN, TDHG, COERR, Thailand Baptist Mission (TBM), Thai Committee for Refugees (TCR).

KAP CHERNG

The Kap Cherng Holding Centre is situated some 50 kilometres South of the Provincial capital of Surin. Built on a thickly wooded site the centre has a capacity of 8,100 persons. It was officially opened on 13 August 1980.

Housing at Kap Cherng consists of durable structures with concrete floors, wooden pillars, asbestos walls and corrugated iron roofs. As of 31 May 1981, the number of Kampucheans accommodated at Kap Cherng stood at 6,641.

UNHCR material assistance activities at Kap Cherng includes site preparation, the provision of food, water, shelter, fuel and household equipment and the extension of medical, social and educational services.

Various voluntary agencies provide additional goods and services to the camp population including:

Health: Mahidol University.

Sanitation: Community-Based Emergency Relief Services (CBERS).

Skills Development: Harry Durrance Foundation (HDF).

Education: Thai Committee for Refugees (TCR).

Other Services: Mahidol, Friends for All Children (FFAC/CUSO).

PANAT NIKHOM

Opened on 9 July 1980, Panat Nikhom Holding Centre is located South East of Bangkok in Chonburi Province. Together with a transit centre which is operated by the Ministry of Interior in conjunction with the Supreme Command, the population capacity of Panat Nikhom is 31,000.

Built as a durable facility, Panat Nikhom is composed of three lots, each containing 2,028 small barrack-like structures built in quadrangle formation. Each quadrangle houses 72 persons and has its own sanitation facilities and recreation space. Water is being temporarily trucked from a site 20 kilometres away until a more permanent water source is located. As of 31 May 1981 Panat Nikhom Holding Centre accommodated 15,499 refugees.

UNHCR material assistance activities at Panat Nikhom include site preparation, the provision of food, water, shelter, fuel and household equipment and the extension of medical, social and educational services.

Several voluntary agencies provide additional goods and services to the camp population including:

Health: American Refugee Committee (ARC), Catholic Office for Emergency Relief and Refugees (COERR), Catholic Relief Services (CRS).

Sanitation: COERR.

Education: International Rescue Committee (IRC), International Committee for Migration (ICM), Ecole Sans Frontiere (ESF).

Skills Development: FHI, COERR.

Other Services: CRS, COERR, Food for the Hungry International (FHI).

DISPLACED PERSONS CENTRES

CHIANG KHONG

Ban Tong (Chiang Khong) camp is situated some 19 kilometres away from the district centre of Chiang Khong, one of the northernmost towns in Thailand, lying on the right bank of the Mekong River directly opposite the Laotian town of Ban Houei Sai.

Ban Tong was established in March 1976 to accommodate some 5,000 Laotian refugees who had been living in and around Chiang Khong since April 1975. Housing which consists of individual thatch and bamboo dwelling was built by the refugees themselves.

The Ban Tong camp population stood at 4,948 as of 31 May 1981. Some two thirds are Yao and the balance principally Hmong and ethnic Lao.

UNHCR Material assistance activities in Ban Tong include the provision of food, water, shelter, fuel, household equipment and the extension of medical, social and educational services.

Several voluntary agencies provide additional goods and services to the camp population including:

Health: Malteser Hilfdienst Auslandsdienst (MHD), Catholic Office for Emergency Relief and Refugees (COERR).

Sanitation: World Vision Foundation of Thailand (WVFT).
Education: WVFT.
Other Services: Ambassador College, WVFT.

CHIANG KHAM

Chiang Kham Displaced Persons Centre is situated near the town of Chiang Kham 100 kilometres from the Provincial town of Phayao and 860 kilometres north of Bangkok.

The camp was opened in April 1976 to accommodate refugees from northern Laos most of whom had previously been living in smaller settlements in and around Chiang Kham and in the provincial capital of Chiang Rai.

The camp's population rarely exceeded 3,000 persons and was down to 1,352 persons prior to the transfer to Chiang Kham of 910 persons on 1 June 1980. These persons were transferred from Fak Tha camp in Uttaradit Province after it was closed on account of its low population. As of 31 May 1981, the population at Chiang Kham reached a peak of 3,744 of whom approximately 66 percent were Yao, and the remaining consisting of Hmong, Lao, Lue, Laotheung and Kouei. Housing consists of thatch and bamboo longhouses.

UNHCR material assistance activities in Chiang Kham include the provision of food, water, shelter, fuel, household equipment and the extension of medical, social and educational services.

A number of voluntary agencies provide additional goods and services to the camp population including:

Health: Malteser Hilfdienst Auslandsdienst (MHD), Catholic Office for Emergency Relief and Refugees (COERR).
Sanitation: World Vision Foundation of Thailand (WVFT).
Education: WVFT, Ambassador College.
Other Services: WVFT.

SOB TUANG

Sob Tuang Displaced Persons Centre is situated in an isolated mountainous area of Mae Charim district, 28 kilometres from the Provincial capital of Nan. It stretches over some 1,000 acres of ridges and hills rising sharply above the western bank of the Wa river.

The camp was opened in July 1975 to provide shelter for some 5,000 refugees who had recently arrived from the Laotian Province of Sayaboury. Housing, consisting of traditional thatch and bamboo family dwellings was erected by the refugees themselves. The vast area of land available eliminated all constraints of space, in marked contrast to other refugee camps in Thailand. As a result, refugees have tended to group themselves into natural village communities coming near to recreating the environment they left behind. The hilly nature of the terrain however restricts possibilities of farming.

As of 31 May 1981, the population of Sob Tuang camp stood at 8,099 of whom some 65 percent were Hmong, 20 percent Thin, 10 percent Yao with the balance made up of ethnic Lao.

UNHCR material assistance activities in Sob Tuang include the provision of food, water, shelter, fuel, household equipment and the extension of medical, social and educational services.

Several voluntary agencies provide additional goods and services to the camp population including:

Health: The Evangelical Alliance Relief Fund (TEAR).

Education: The Ockenden Venture (TOV), TEAR, Young Men's Christian Association (YMCA).

Other Services: TOV, TEAR, YMCA, Advancing the Ministeries of the Gospel (AMG), Christian and Missionary Alliance (CAMA).

BAN NAM YAO

Ban Nam Yao camp is situated in an isolated rural area of Nan Province, 26 kilometres South-East of the district town of Pua. It was opened in July 1976, when some 6,000 refugees were transferred there from a temporary camp in Pua.

The Ban Nam Yao camp is built on a steep hillside divided into several ridges by deep gullies. Communal facilities such as the clinic, schools, food distribution centre, water supply and administrative offices are located at the base of the camp. Until April 1980, housing in the camp was made of individual thatch and bamboo houses built by the refugees themselves.

Refugees at Ban Nam Yao entered Thailand from the Laotian Provinces of Xieng Khouang and Sayaburi. The population, standing at 9,884 as of 31 May 1981, is composed of distinctive groups of Hmong (71 percent), Lao, Khmu and Thin.

On 23 April 1980, a fire destroyed some two thirds of Ban Nam Yao killing six persons in the process. Emergency relief was immediately made available in the form of temporary shelter, food, medicines and basic household equipment. Pending construction of more durable housing, refugees are accommodated in bamboo and thatch long-houses constructed in the days following the disaster.

UNHCR material assistance activities in Ban Nam Yao include the provision of food, water, shelter, fuel, household equipment and the extension of medical, social and educational services.

Several voluntary agencies provide additional goods and services to the camp population including:

Health: Tom Dooley Heritage Inc. (TDH), Medicins Sans Frontieres (MSF), Wisconsin Indo-China Refugee Relief (WICRR).

Education: Catholic Office for Emergency Relief and Refugees (COERR) WICRR.

Other Services: COERR, WICRR, The Ockenden Venture (TOV), Christian and Missionary Alliance (CAMA).

BAN VINAI

Ban Vinai Displaced Persons Centre is located 12 kilometres south of the Mekong River in the district of Pak Chom, Loei Province. It was first opened in December 1975 to accommodate Hmong refugees from the Laotian Province of Xieng Khouang.

From early 1976 to early 1979 the refugee population at Ban Vinai remained stable at almost 12,000 persons. A renewed influx of refugees in early 1979 and the transfer of 11,000 Hmong refugees from the Nong Khai camp (3,000 ethnic Lao made the opposite journey at the same time) in May 1979 brought population figure above 35,000.

As of 31 May 1981, the population at Ban Vinai stood at 31,051. The overwhelming majority are Hmong. Half are sheltered in wooden long-houses with corrugated iron roofs while the others live in individually built thatch and bamboo dwellings. Some farming activity (rice, corn, vegetable) is possible both within the camp compound and in an agricultural centre close by.

UNHCR material assistance activities at Ban Vinai include the provision of water, food, shelter, fuel, household equipment and the extension of medical, social and educational services.

Several voluntary agencies provide a variety of goods and services to the camp population including:

Health: World Vision Foundation of Thailand (WVFT), American Refugee Committee (ARC), Catholic Office for Emergency Relief and Refugees (COERR).

Sanitation: Christian and Missionary Alliance (CAMA).

Education: CAMA, CRS, WVFT, Overseas Service Bureau (OSB).

Other Services: Food for the Hungry International (FHI), OSB, FFFM, CRS, WVFT, COERR.

NONGKHAI

The Nongkhai Displaced Persons Centre is situated seven kilometres away from the Provincial capital of Nongkhai, on the Western bank of the Mekong river. It was opened in March 1976 to provide shelter for refugees from Laos.

Refugees in Nongkhai were originally accommodated in 154 wooden long-houses each large enough for 150 to 200 persons. Over the years, a maze of smaller buildings made of thatch and bamboo was built around and between the long-houses by the refugees themselves.

In May 1979, 11,000 Hmong who had been living in Nongkhai were transferred to the Ban Vinai camp in Loei Province while 3,000 Lao made the opposite journey. Since then, the population at Nongkhai has been essentially composed of ethnic Lao though some 10 percent consists of Thai Dam, Thai Nung, Khmu and Vietnamese. The majority of the Lao are from the capital, Vientiane and its surrounding area. They therefore possess a generally higher level of education, language and technical skills than Laotian refugees elsewhere in Thailand. As of 31 May 1981, 17,917 refugees were living in Nongkhai.

UNHCR material assistance activities in Nongkhai include the provision of food, water, shelter, fuel, household equipment and the extension of medical, social and educational services.

Numerous voluntary agencies provide a variety of goods and services in the camp including:

Health: Catholic Relief Services (CRS), American Refugee Committee (ARC).

Sanitation: International Rescue Committee (IRC), Norwegian Refugee Council (NRC).

Education: Primary education, financed by UNHCR is provided by the Ministry of Education. Voluntary agencies active in the field of education and vocational training include: COERR, CCT and Young Women's Christian Association (YWCA).

Other Services: CRS, CCT, SCF, Christian and Missionary Alliance (CAMA), Church of Christ-Udorn (CCU), Food for the Hungry International (FHI), COERR.

UBON

Ubon Displaced Persons Centre is situated at a distance of 5 kilometres from the town of Ubon Rajathani in the North East of Thailand. It was established in June 1975 and has since then accommodated refugees coming principally from the Laotian provinces of Khammoune, Savannakhet, Saravane and Champassak.

Ubon camp is built on the site of a former military base and posesses as a result an excellent network of concrete roads. Some 5,000 refugees live in wooden long-houses with corrugated iron roofs. The majority of the people, however, have chosen to live in individual thatch and bamboo dwellings built at their own expenses.

The camp population has fluctuated widely over the years from a low of 500 persons at the end of 1975 to a high of 37,000 persons in late 1978. As of 31 May 1981, the population stood at 18,484.

UNHCR material assistance activities in Ubon include the provision of food, water, shelter, fuel, household equipment and the extension of medical, social and educational services.

Several voluntary agencies provide additional goods and services to the camp population including:

Health: The Save the Children Fund (SCF), Medecins Sans Frontieres (MSF), Seventh-Day Adventist World Services (SAWS).

Sanitation: International Rescue Committee (IRC).

Education: Japanese Voluntary Centre (JVC), Church of the Saviour International Good Neighbors (COSIGN), Catholic Office for Emergency Relief and Refugees (COERR).

Other Services: International Christian Aid (ICA), Food for the Hungry International (FHI).

LUMPUK (SURIN)

The Lumpuk Displaced Persons Centre, also known as Surin camp, is located at a distance of 45 kilometres south of the Provincial capital of Surin. Construction of the Lumpuk camp began in July 1975 and the Khmer refugees who had been temporarily accommodated in centres in Sisaket Province, were transferred in stages as shelters in the camp were being completed.

The layout of the camp is orderly with 3 rows of long-houses comprising some 45 barracks, with corrugated iron roofs. There is ample room for sports activities and agricultural gardens within the confines of the camp. Two deep wells provide an adequate amount of water for the refugees. The population reached a peak of over 5,000 in 1977, but has steadily decreased as the refugees leave for resettlement abroad. As of 31 May 1981, there were an estimated 2,120 refugees in the camp.

UNHCR material assistance activities includes the provision of food, water, shelter, fuel, household equipment and extension of medical, educational and social services.

Three voluntary agencies provide additional goods and services including:

Health: Catholic Relief Service (CRS).
Education: Young Men's Christian Association (YMCA).
Other Services: Food for the Hungry International (FHI), YMCA.

LAEM SING

Laem Sing Displaced Persons Centre is situated on an outcrop near the village of Kho Prerd to which it is linked by a causeway. It is at a distance of 12 kilometres from the district town of Laem Sing and 30 kilometres from the Provincial capital Chanthaburi.

Laem Sing was opened in October 1976 to accommodate refugee boat people arriving on Thailand's eastern Gulf coast. Prior to the opening of Laem Sing, these refugees were detained at the seaports of Rayong, Sattahip, Paknam and Bangkok Harbour pending their resettlement in third countries.

The camp extends over 6 acres from the waterfront up a rocky hill approximately 60 metres in height. Housing consists of individual thatch and bamboo dwellings built by the refugees themselves. As space is limited boats are also being used for shelter.

As of 31 May 1981, the population at Laem Sing stood at 399.

UNHCR material assistance activities at Laem Sing include the provision of food, water, shelter, fuel, household equipment and the extension of medical and social services.

Three voluntary agencies provide additional goods and services to the camp population including:
Health: Medecins Sans Frontieres (MSF).
Education: Thai Baptist Mission (TBM), COERR.
Skills Development: COERR.
Other Services: TBM, COERR.

SONGKHLA

Songkhla Displaced Persons Centre is situated on a beach facing the Gulf of Siam, 8 kilometres from the town of Songkhla. It was opened in January 1979 to accommodate Vietnamese refugees arriving by boat in southern Thailand. A temporary centre, also near Songkhla had provided them with shelter until that time.

As of 31 May 1981, 6,704 persons were living in Songkhla camp. The vast majority are of Vietnamese origin though some Cambodian "boat people" are to be found among them. Housing consists of long-houses built out of either wood or thatch and bamboo.

UNHCR material assistance activities include the provision of food, water, shelter, fuel, household equipment and the extension of medical and social services.

Various voluntary agencies provide additional goods and services to the camp population including:
Health: Catholic Relief Services (CRS), Seventh Day Adventist World Services (SAWS).
Sanitation: Japanese Volunteers Centre (JVC), Thailand Baptist Mission (TBM), World Vision Foundation of Thailand (WVFT), Church of the Saviour International Good Neighbour (COSIGN).

Education: Food for the Hungry International (FHI), The Displaced Persons Centre (DPC), Catholic Office for Emergency Relief and Refugees (COERR), COSIGN, TBM, WVFT.

Other Services: FHI, TBM, SPM, COSIGN, WVFT, JVC, SCF.

SIKHIU

Sikhiu camp is located in an isolated rural area of Nakhon Ratchasima province, some 60 kilometres from Korat, the provincial capital. It is established in a former military compound. Housing consists of two-storey stone and wooden barracks. Water is trucked in from a nearby reservoir.

Sikhiu was opened in January 1976 to provide accommodation for Vietnamese refugees arriving overland from Laos. Vietnamese "land cases" had previously been sheltered in Bangkok or the Displaced Persons Centre in Nongkhai. The population of Sikhiu increased in 1980 with the transfer to the camp of Vietnamese "land cases" arriving from Kampuchea. As of 31 May 1981, the camp population stood at 621 persons.

UNHCR material assistance activities at Sikhiu include the provision of food, water, fuel and household equipment and the extension of medical and social services.

Some additional goods and services are provided by voluntary agencies including:

Health: The Rescue Committee for Indochinese Refugees (RCIR).

Other Services: Catholic Office for Emergency Relief and Refugees (COERR).

TRANSIT CENTRES

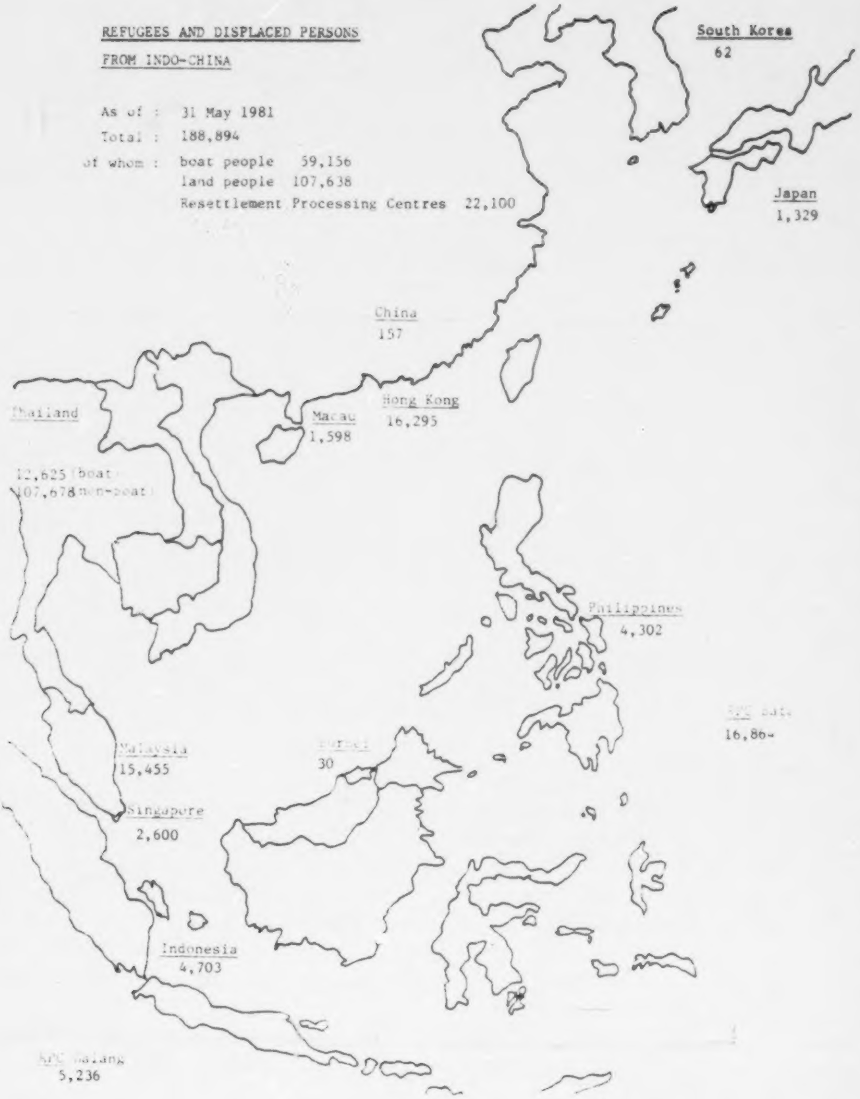
Refugee resettlement from Thailand involves a four-step process:

1. Interviews are conducted in the different Displaced Persons Centres by staff from Embassies stationed in Bangkok or from special missions appointed by various Governments for the specific task of selecting candidates for migration. Refugees are interviewed on the basis of individual applications, letters of referral sent by friends and relatives abroad or lists submitted by UNHCR.
2. Once Embassies and selection missions have completed their screening "Call lists" of persons accepted for immigration are sent to UNHCR.
3. UNHCR organises the transfer of persons appearing on the call lists to one of several Transit Centers where they are accommodated pending final medical clearance and finalization of transportation arrangement. As of May 1981, two Transit Centres were in operation in Bangkok (Lumpini, Rangsit, Suan Phlu) in addition to the Transit Centre at Panat Nikhom situated directly opposite the Khmer Processing Centre.
4. Departure usually by air to the country of resettlement.

The respective capacity of the transit Centres is: Lumpini, 2,000 persons; Suan Phlu, 700 persons; Panat Nikhom, 13,000 persons.

REFUGEES AND DISPLACED PERSONS FROM INDO-CHINA

As of : 31 May 1981
Total : 188,894
of whom : boat people 59,156
land people 107,638
Resettlement Processing Centres 22,100


South Korea
62
Japan
1,329
China
157
Hong Kong
16,295
Macau
1,598
Thailand
12,625 (boat)
107,678 (non-boat)
Philippines
4,302
RPC Bat
16,86-
Malaysia
15,455
Brunei
30
Singapore
2,600
Indonesia
4,703
RPC Galang
5,236

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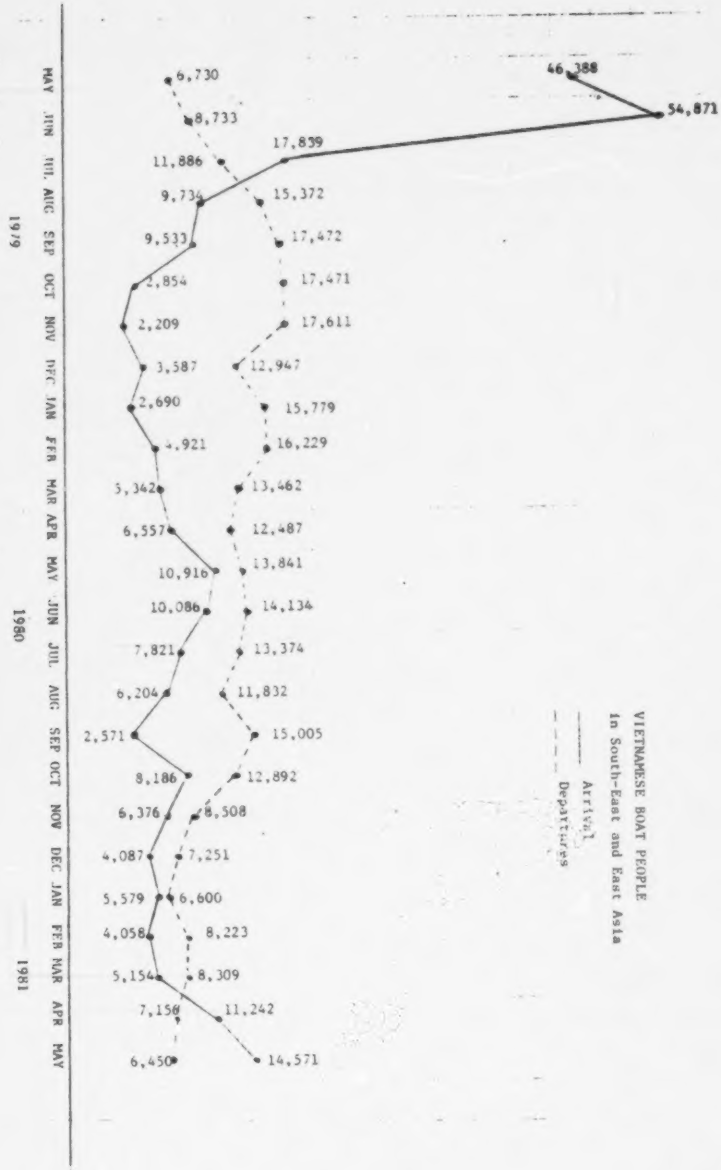

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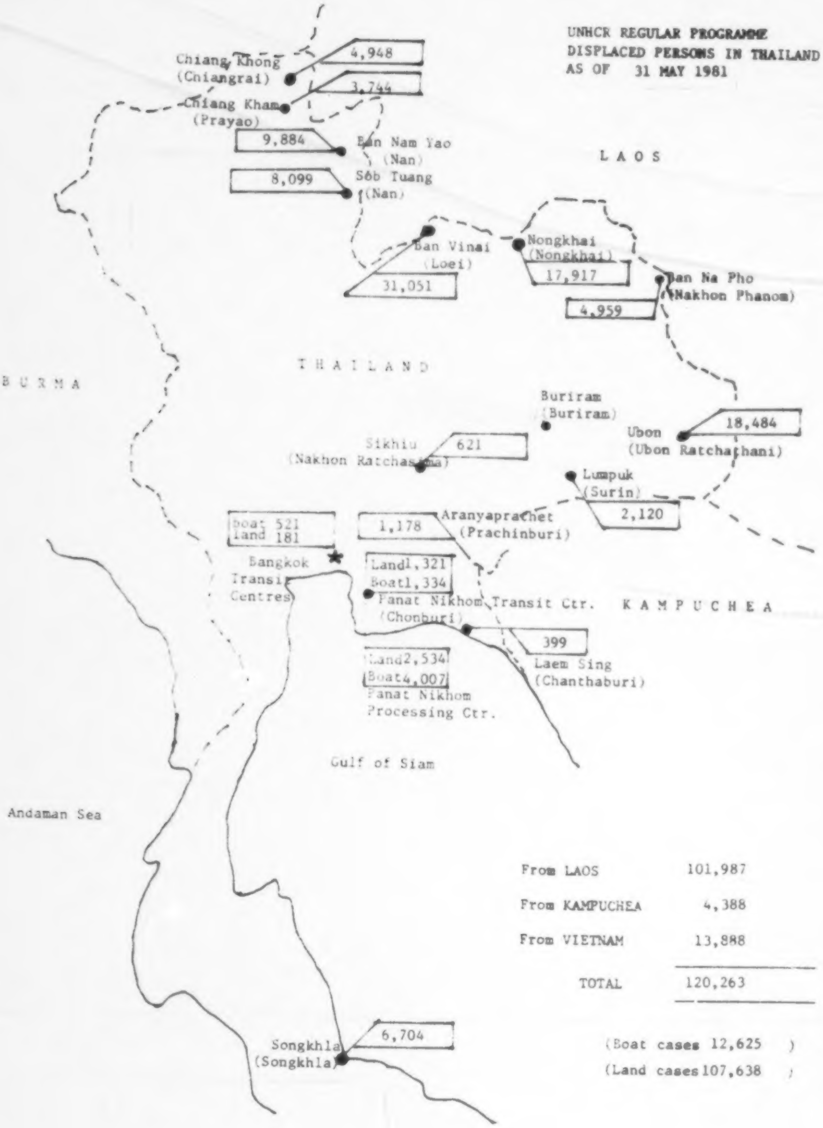
UNHCR REGULAR PROGRAMME
DISPLACED PERSONS IN THAILAND
AS OF 31 MAY 1981


Chiang Khong (Cniangrai) 4,948
Chiang Kham (Prayao) 3,744
9,884 Ban Nam Yao (Nan)
8,099 Sob Tuang (Nan)
LAOS
Ban Vinai (Loei) 31,051
Nongkhai (Nongkhai) 17,917
Ban Na Pho (Nakhon Phanom) 4,959
BURMA
THAILAND
Buriram (Buriram)
Ubon (Ubon Ratchathani) 18,484
Sikhiu (Nakhon Ratchasima) 621
Lumpuk (Surin) 2,120
boat 521
land 181
Bangkok Transit Centres
1,178 Aranyaprathet (Prachinburi)
Land1,321
Boat1,334
Panat Nikhom Transit Ctr. (Chonburi)
KAMPUCHEA
399 Laem Sing (Chanthaburi)
Land2,534
Boat4,007
Panat Nikhom Processing Ctr.
Gulf of Siam
Andaman Sea
Songkhla (Songkhla) 6,704

From LAOS	101,987
From KAMPUCHEA	4,388
From VIETNAM	13,888
TOTAL	120,263

(Boat cases 12,625)
(Land cases 107,638)

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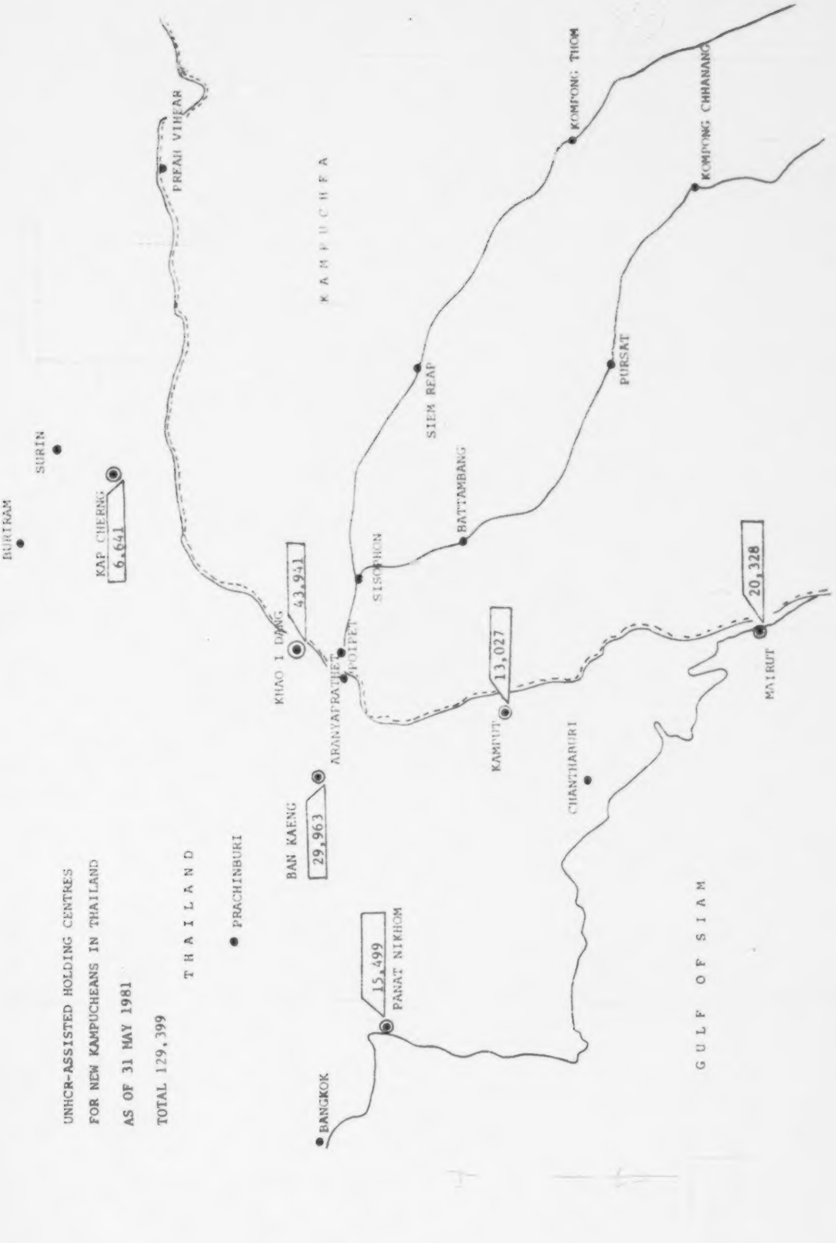

UNHCR-ASSISTED HOLDING CENTRES
FOR NEW KAMPUCHEANS IN THAILAND
AS OF 31 MAY 1981
TOTAL 129,399

THAILAND
PRACHINBURI
BURIRAM
SURIN
KAP CHERNG
6,641
PREAH VIHEAR
KAMPUCHEA
KOMPONG THOM
KOMPONG CHHANANG
SIEM REAP
PURSAT
BATTAMBANG
SISOPHON
KHAO I DANG
43,941
POIPET
ARANYAPRATHET
BAN KAENG
29,963
KAMPUT
13,027
CHANTHABURI
MAIRUT
20,328
PANAT NIKHOM
15,499
BANGKOK
GULF OF SIAM

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POPULATION TRENDS IN UNHCR-ASSISTED CAMPS

	Supreme Command-UNHCR Kampuchean Programme, New Kampucheans	Ministry of the Interior-UNHCR Regular Programme			
		Kampucheans	Laotians	Vietnamese	Tota
1980:					
January	145,814	13,581	119,678	7,145	286,218
February	141,078	13,544	116,696	8,208	279,526
March	140,948	12,598	116,422	11,277	281,245
April	145,328	12,440	112,781	12,341	282,890
May	164,992	8,418	115,048	13,152	293,610
June	164,375	8,443	118,076	10,032	300,926
July	153,414	8,523	116,311	7,984	286,232
August	150,945	6,351	111,848	7,752	276,896
September	148,630	6,486	106,163	8,443	269,722
October	146,867	6,561	104,098	7,734	265,260
November	142,372	6,616	104,423	7,611	261,022
December	140,751	6,480	104,936	9,018	261,185
1981:					
January	137,254	5,398	105,045	10,161	257,858
February	132,969	5,944	105,043	9,729	253,685
March	128,676	5,466	104,306	10,469	248,917
April	134,427	4,141	104,872	11,594	255,034
May	129,399	4,388	101,987	13,388	249,662
June					
July					
August					
September					
October					
November					
December					

UNHCR REGULAR PROGRAMME—THAILAND [1]

[Arrivals, departures, and camp populations]

Year	Cambodians	Laotians	Vietnamese	Tota
1975:				
Arrivals	16,893	56,176	4,172	77,241
Departures	7,116	1,924	3,715	12,755
Final camp populations	9,777	54,252	457	64,486
1976:				
Arrivals	5,709	23,921	5,928	35,558
Departures	5,399	15,453	3,326	24,178
Final camp populations	10,078	62,720	3,059	75,866
1977:				
Arrivals	7,912	22,954	4,884	35,750
Departures	2,970	6,709	4,342	14,021
Final camp populations	15,029	78,965	3,601	97,595
1978:				
Arrivals	3,137	56,052	8,216	67,405
Birth	NA	NA	24	24
Departures	3,384	15,839	7,074	26,297
Deaths	NA	NA	NA	NA
Final camp populations	14,782	119,178	4,767	138,727
1979:				
Arrivals	17,797	44,161	14,641	76,599
Births	NA	NA	41	41
Departures	17,271	39,359	12,166	68,796
Deaths	NA	NA	4	4
Final camp populations	15,308	123,980	7,279	146,567
1980:				
Arrivals	1,945	53,674	27,327	82,946
Births	229	2,766	60	3,055
Departures	10,964	75,204	25,645	111,833
Deaths	38	280	3	321
Final camp populations	6,480	104,936	9,018	120,434
1981:				
Arrivals	NA	10,376	13,920	23,785
Births	32	1,374	60	1,466
Departures	1,610	14,557	9,101	25,268
Deaths	3	142	9	154
Final camp populations (end of May)	4,388	101,187	13,888	120,263
Cumulative arrivals (1975—May 31, 1981)	53,393	267,314	79,088	399,284
Cumulative births (1975—May 31, 1981)	261	4,140	185	4,586
Cumulative departures (1975—May 31, 1981)	48,714	169,045	65,369	283,128
Cumulative deaths (1975—May 31, 1981)	41	422	16	479

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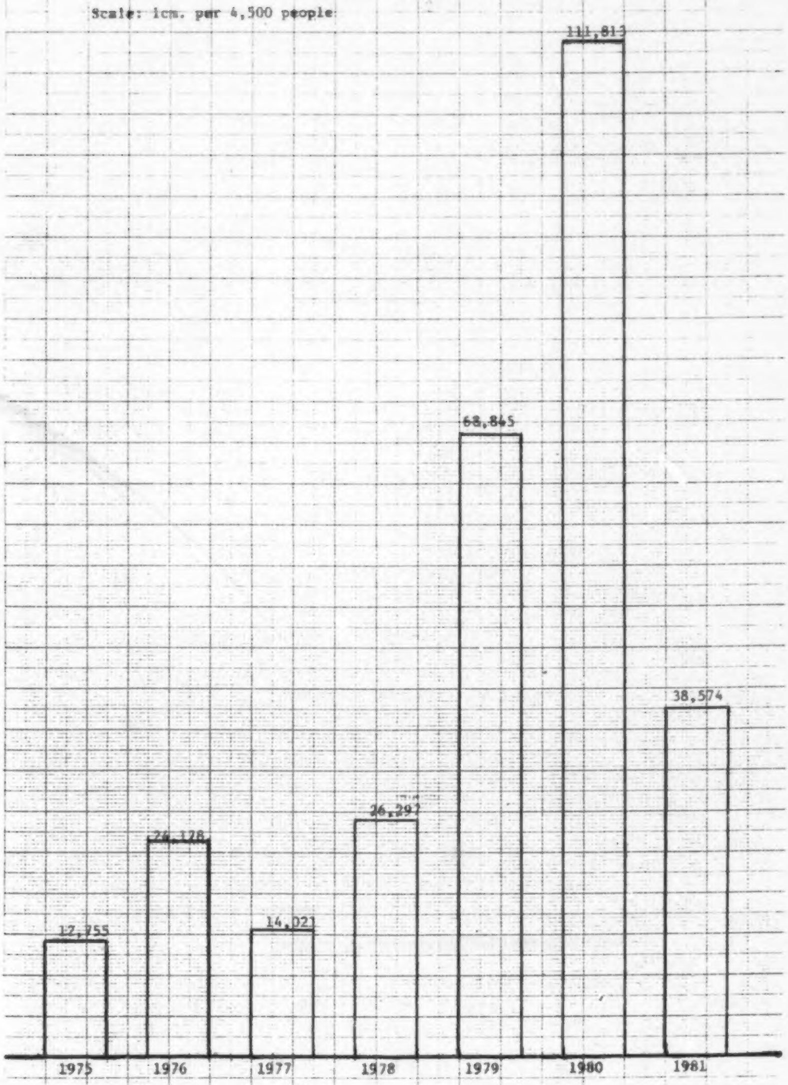
[1] Figures do not include New Khmer arrivals and departures.

COMULATIVE DEPARTURES FROM THAILAND TO RESETTLEMENT CZUNTRIES

Countries	Cambodians	Laotians	Vietnamese	Total	Out of which boat cases
Argentina	90	1, 152		1, 242	
Australia	2, 985	4, 866	4, 952	12, 803	4, 636
Austria	312	53	143	508	65
Belgium	542	868	353	1, 763	54
Brazil	2			2	
Canada	5, 189	10, 622	5, 445	21, 256	4, 308
China	31	2, 516	5	2, 552	5
Costa Rica		1		1	
Denmark			253	253	237
France	17, 802	26, 192	6, 884	[1] 50, 878	2, 252
Germany	830	1, 524	2, 355	4, 709	1, 071
Hong Kong	3	2	9	14	7
Israel			63	63	63
Italy	284	152	342	778	147
Japan	155	307	73	535	63
Luxembourg		4		4	
Malaysia	2, 137		6	2, 143	6
Netherlands	1	8	323	332	185
New Caledonia			5	5	
New Zealand	931	208	257	1, 396	260
Norway	2	1	422	425	333
Philippines		16		16	
Spain		501		501	
Sweden	1		1	2	1
Switzerland	1, 157	439	641	2, 237	292
United Kingdom	141	230	683	1, 054	601
United States (A+B)	43, 869	119, 383	42, 154	205, 406	32, 121
A. Direct	28, 900	107, 804	28, 359	165, 063	21, 438
B. RPC (1+2)	14, 969	11, 579	13, 795	40, 343	10, 683
1. Bataan	12, 427	11, 579	6, 152	30, 158	5, 022
2. Galang	2, 542		7, 643	10, 185	5, 661
Total	76, 464	169, 045	65, 369	310, 878	46, 707

[1] Figures include cumulative 485 departed for French Guyana.



YEARLY DEPARTURE FROM THAILAND

Scale: 1cm. per 4,500 people

* Departure for 1981 are from 1 January to 31 May.

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